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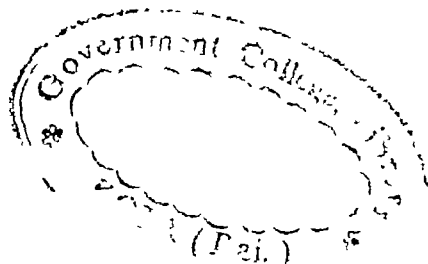
KOTA (Raj.)

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Rajasthan Rules Compendium

(IN THREE VOLUMES)
(1968 to June 1970)



By

T. D. KHURANA

(Advocate)

Publishers

BAFNA BOOK DEPOT

CHAURA RASTA, JAIPUR-3

- (i) Amendments to Rajasthan Colonisation (Bhakra Project Govt. Lands Allotment and Sale) Rules, 1955.
 - (ii) Amendments to Rajasthan Colonisation (Chambal Project Govt. Land Allotment and Sale) Rules, 1957.
 - (iii) Amendments to Rajasthan Colonisation (General Colony) Conditions, 1955.
 - (iv) Amendments to Rajasthan Colonisation (Grant of Land for Residence in Chak Abadi) Rules, 1959.
 - (v) Rajasthan Colonisation (Medium & Minor irrigation Projects Govt. Lands Allotment) Rules, 1968.
 - (vi) Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967.
 - (vii) Amendments to Rajasthan Colonisation (Rajasthan Canal Project Govt. Land Allotment and Sale) (Amendment) Rules, 1970.
 - (viii) Amendment to Rajasthan Colonisation (Sale of Land in Mandies in the Chambal Irrigation Project Area) Rules, 1960.
 - (ix) Rajasthan Colonisation (Temporary Cultivation Leases) Amendment Conditions, 1970.
 - (x) Rajasthan Colonisation (Temporary Cultivation Leases) Second Amendment Conditions, 1970.
 - (xi) Notifications under the Act.
9. Rajasthan Commercial Crops Cess Act, 1969. (Rajasthan Act No. 9 of 1969)
- (i) Rajasthan Commercial Crops Cess Rules, 1969.
 - (ii) Notifications under the Act
10. Commissions of Inquiry Act, 1952. (Act No. 60 of 1952)
- (i) Rajasthan State Commissions of Inquiry (Procedure) Rules, 1969.
11. Constitution of India.
Order under Art. 213--
- (i) Bombay Prohibition (Raj. Amendment) Ordinance, 1969 withdrawn.
12. Rajasthan Co-operative Societies Act, 1965 (Rajasthan Act No. 13 of 1965)
- (i) Rajasthan Co-operative Societies (Amendment) Rules, 1969.
 - (ii) Notifications under the Act.
 - (iii) Rajasthan Grant (On Managerial Staff) Co-operative Societies, Rules, 1970.
13. Rajasthan Cotton Ginning and Pressing Factories Act, 1925. (Central Act No. 6 of 1925)
- (i) Rajasthan Cotton Ginning and Pressing Factories (Amendment) Rules, 1969.
14. Criminal Procedure Code, 1898.
- (i) Notifications.

III

D

15. Dangerous Drug Act, 1930. (Central Act No. 2 of 1930).
(i) Amendment to Rajasthan Dangerous Drugs Rules, 1961.

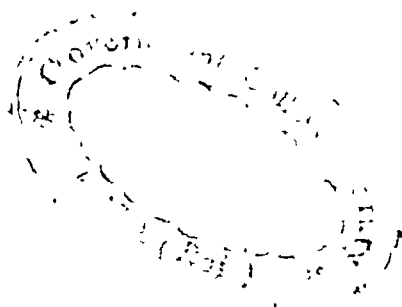
E

- . Electricity Act, 1910. (Central Act No. 9 of 1960)
(i) Department Order dt. 31.5.1967 amended.
17. Rajasthan Electricity (Duty) Act, 1962.
(i) Rajasthan Electricity Duty (Amendment) Rules, 1969.
(ii) Rajasthan Electricity (Duty) Rules, 1970.
(iii) Rajasthan Electricity (Duty) (First amendment) Rules, 1970.
(iv) Notification under the Act.
18. Employees' State Insurance Act, 1948.
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19. Employees' State Insurance (General) Regulations 1950.
(i) Notifications.
20. Entertainments and Advertisements Tax Act, 1957 (Rajasthan Act No. 24 of 1957).
(i) Notifications.
21. Essential Commodities Act, 1955 (Central Act No. 10 of 1955)
(i) Bikaner District Cattle Fodder (Sale of Stocks & Prohibition of Export) Order, 1968.
(ii) Rajasthan Cattle Fodder (Sale of Stocks & Prohibition of Export) Order, 1968.
(iii) Amendments to the Rajasthan Cattle Fodder (Sale of Stocks & Prohibition of Export) Order, 1968.
(iv) Rajasthan Cattle Fodder (Sale of Stocks and prohibition of Export) (Amendment) Order, 1969.
(v) Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) (Amendment) Order, 1969.
(vi) Rajasthan Course Grains (Prohibition of Movement) Order, 1968.
(vii) Rajasthan Control of Distribution of Food Grains Order, 1967.
(viii) Rajasthan (Display of Prices of Essential Commodities) Amendment Order, 1969.
(ix) Notification under Rajasthan (Display of Prices of Essential Commodities) Order, 1966.
(x) Notification under Fertilizer (Control) Order, 1957.
(xi) Rajasthan Foodgrains Dealers Licensing (Amendment) Order, 1968.
(xii) Rajasthan Foodgrains Dealers Licensing (Amendment) Order, 1969.

- (xiii) Notification under Rajasthan Foodgrain Dealers Licensing Order, 1964.
- (xiv) Rajasthan Foodgrains (Prevention of Hoarding) (Amendment) Order, 1968.
- (xv) Rajasthan Foodgrains (Procurement) (Amendment) Order, 1968.
- (xvi) Rajasthan Foodgrains (Procurement) (Amendment) Order, 1969.
- (xvii) Notifications under Rajasthan Foodgrains (Procurement) Order, 1965.
- (xviii) Notification under (Prohibition of use in Manufacture of Starch) Order, 1966.
- (xix) Rajasthan Food (Restriction on Service of Meals by Catering Establishments) Amendment Order, 1968.
- (xx) Rajasthan Gram & Barley (Prohibition of Export) (Amendment) Order, 1968.
- (xxi) Rajasthan Guest Control Amendment Order, 1961.
- (xxii) Rajasthan Guest Control (Amendment) Order, 1966.
- (xxiii) Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.
- (xxiv) Rajasthan Hydrogenated Vegetable Oils Dealers Licensing (Amendment) Order, 1968.
- (xxv) Rajasthan Hydrogenated Vegetable Oils Dealers Licensing (Amendment) Order, 1970.
- (xxvi) Rajasthan Hydrogenated Vegetable Oils Dealers Licensing (Second Amendment) Order, 1970.
- (xxvii) Notifications under Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.
- (xxviii) Rajasthan Imported Food Stuffs (Prohibition of Un-Authorised Sale) Order, 1968.
- (xxix) Notification under Imported Foodgrains (Prohibition of of unauthorised Sale) Order, 1958.
- (xxx) Notification under Rajasthan Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1968.
- (xxxi) Rajasthan Inter-Zonal Wheat & Wheat Products (Movement Control) Third Amendment Order, 1968.
- (xxxii) Rajasthan Khandsari & Gur Dealers Licensing (Amendment) Order, 1968.
- (xxxiii) Rajasthan Khandsari & Gur Dealers, Licensing (Second Amendment) Order, 1968.
- (xxxiv) Notification under Rajasthan Khandsari & Gur Dealers Licensing Order, 1963.
- (xxxv) Rajasthan Kharif Food Grains (Levy on Dealers) (Amendment) Order, 1968.
- (xxxvi) Rajasthan Scheduled Food Grains (Regulation of Distribution) (Amendment) Order, 1968.

- (xxxvii) Orders under Sugarcane (Control) Order, 1966.
 - (xxxviii) Rajasthan Sugar Dealers' Licensing Order, 1967.
 - (xxxix) Rajasthan Sugar Dealers' Licensing (Amendment) Order, 1968.
 - (xl) Rajasthan Sugar Dealers Licensing (Third Amendment) Order, 1968.
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 - (xlvi) Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.
 - (xlvii) Notifications under Rajasthan Wheat Procurement (Levy on dealers) Order, 1968.
 - (xlix) Notification under Rajasthan Wheat Procurement (Levy on Producers) Order, 1967.
 - (1) Notifications under Essential Commodities Act, 1965.
22. The Essential Commodities (Amendment) Ordinance, 1967.
- (i) Letter explaining objectives of the ordinance.

Rules and Notifications under
ADVOCATES ACT, 1961.
(CENTRAL ACT No. 25 of 1961)



The Bar Council of Rajasthan Election Rules.

Notification No. RBC/Rules/68/4621, dated, 15 October, 1968.—In supersession of the existing rules which stand repealed, the Bar Council of Rajasthan, in exercise of the powers conferred by Section 15 (2) (a) and (d) of the Advocates Act, with the approval of the Bar Council of India as required under Section 15 (c), makes the following election rules which come into force from today, the 15th October, 1968.

Rules made by the Bar Council of Rajasthan under Section 15 (2) (a) and (d), Advocates Act, 1961.

CHAPTER I

1. *Short title and commencement.*—These Rules shall be called the "Bar Council of Rajasthan Election Rules, 1968, and they shall come into force from the date of their approval by the Bar Council of India.

2. These rules shall be subject to the rules made by the Bar Council of India under the powers vested in it by the Act

3. *Interpretation* :—In these rules, unless the context otherwise requires :

(a) "Act" means the Advocates Act, 1961;

(b) "Advocate General" means the Advocate General for the State of Rajasthan.

(c) "Bar Association" means a Bar Association included in the list kept by the Bar Council for the purposes of these rules :

(d) "Bar Council" means the Bar Council for the State of Rajasthan;

(e) "Casual Vacancy" means a vacancy that has been caused otherwise than by the expiry of the term of office of a member;

(f) "Chairman" means the Chairman of the Bar Council of the State of Rajasthan.

(g) "Clear days" means that time is to be reckoned exclusive of both the first and the last days.

Illustration :—The election of members to a State Bar Council is fixed for the 15th January, 1965. Under the rules of the Bar Council, ballot papers have to be despatched 15 clear days before the date of election. Consequently the last date for the despatch of ballot papers will be 30th December, 1964.

(h) "Continuing Candidate" means any candidate not elected and not excluded from the poll at any given time;

(i) "Count" means—

- (a) all the operations involved in the counting of the first preferences recorded for candidates, or
- (b) all the operations involved in the transfer of the surplus of an elected candidate, or
- (c) all the operations involved in the transfer of the total value of votes of an excluded candidate, or
- (d) all other operations involved in, incidental to; or necessary for the entire process of ascertainment of votes.

(j) "Electoral Roll" means and includes the roll containing the names of the Advocates prepared in accordance with the rules of the Bar Council of India in Part III, Chapter I.

(k) "Exhausted Paper" means a voting paper on which no further preference is recorded for a continuing candidate, and includes a voting paper on which :

- (a) the names of two or more candidates whether continuing or not, are marked with the same figure and are next in order of preference, or
- (b) the name of the candidate next in order of preference whether continuing or not, is marked by a figure not following consecutively after some other figure on the voting paper or by two or more figures; or
- (c) there is such effacement, obliteration erasure, or mutilation as to make any preferences other than the first preference ambiguous.

(l) "First preference" means the figure '1' set opposite the name of a candidate; "second preference" means the figure '2' set opposite the name of a candidate; and "third preference" means the figure '3' set opposite the name of a candidate; and so on;

(m) "Form" means a form prescribed under these rules;

(n) "Original Vote" in relation to any candidate, means a vote derived from a voting paper on which a first preference is recorded for such candidate;

(o) "Original Vote" means a person appointed as such by the Returning Officer and includes the person appointed by the Returning Officer to assist the Polling Officer;

(p) "Returning Officer" means the person appointed by the Bar Council as such to conduct an election;

(q) "Surplus" means the number by which the value of the votes, original and transferred, of any candidate exceeds the quota;

(r) "Transferred vote" in relation to any candidate means a vote the value or part of the value of which is credited to such candidate and which is derived from a voting paper on which a

second or a subsequent preference is recorded for such candidate;

(s) "Unexhausted Paper" means a voting paper on which a further preference is recorded for a continuing candidate;

(t) "Voter" means a person whose name is included in the Electoral Roll.

4. *Time and place of Election.*—Election of members to the Bar Council shall be held at such place or places, on such date or dates, and during such hour or hours as the Council may appoint. Different dates, and different hours may be appointed for polling at different places.

5. *Method of Election.*—

(i) Election to the Bar Council shall be by the single transferable vote by and amongst the voters in the electoral roll in accordance with these rules.

(ii) The voting shall be by personal ballot except by voters who do not ordinarily practise at the seat of the High Court or the seat of any of the District Courts in the State who may vote by post

Explanation.—An advocate shall be deemed ordinarily to practise at the place which is given in his address in the electoral roll.

6. *Notice of Election.*—(a) Notice of the time and place of election and method of voting prescribed shall be given by publication over the signature, of the secretary in one issue of a daily newspaper in the State not less than 45 clear days before the date of election. The notification shall specify in ter alia :—

(i) the dates for nominations;

(ii) the date for scrutiny;

(iii) the dates for withdrawal of the candidature;

(iv) the date or dates of polling;

(v) the last date on which the voting papers despatched by post should reach the Secretary;

(vi) the date and place and time for counting of votes; and

(vii) the minimum number of seats that should be filled from amongst advocates who on the relevant date will have been on the State Roll for at least 10 years :

Provided that the last date for the filing of the nominations shall not be less than 25 clear days before the date of the election and that there shall be at least 5 clear days after the last date of the scrutiny for withdrawal of the candidature. Copies of the notices shall be affixed on the Notice Board of the Bar Council, and sent to the Advocate General and to the Bar Associations.

(b) Copies of the above notice shall be put up on the Notice Board of the Bar Council and sent to

- (i) Bar Associations, and
- (ii) the Advocate General, and
- (iii) may also be sent to the Official Gazette of the State.

7. *Candidates* :—No person shall be entitled to seek election unless his name is in the electoral roll.

8. *Candidates how to be proposed* :

(i) Every candidate for election as a member of the Bar Council shall be proposed by one voter, and seconded by another voter. The nomination paper form 'A' shall be delivered to the secretary either personally or through an agent or sent by registered post so as to reach the Secretary on or before the date specified in the notification under Rules.

(ii) Every nomination paper shall be accompanied by a deposit of Rs 200/- which will be forfeited in case the candidate is unable to secure at least $\frac{1}{3}$ th of the quota fixed for being elected unless his nomination paper is rejected or he withdraws within the time notified or dies before the poll.

9. *Doubts as to validity of proposals* :—The Secretary shall scrutinise the nomination papers received at the place and time notified under rule 6, and if in his opinion any nomination paper is invalid, he shall report the same to the Advocate General who shall decide the validity or otherwise of such nomination paper, and his decision shall be final. The candidates or their agents shall be entitled to be present both at the time of the scrutiny before the Secretary as well as before the Advocate General and make their submissions. No nomination paper shall be rejected except for a defect of a substantial character and the Advocate General may allow any defect to be rectified.

10. *Withdrawal from election* :—Any person whose name has been proposed as a candidate may withdraw his candidature by a communication in writing so as to reach the Secretary not later than the date specified for the purpose in the notification under rule 6.

11. *Declaration when number of candidates is equal to the number of seats* :—If the number of duly nominated candidates who have been on the state rolls for more than than 10 years is less than or equal to the number required by the proviso to Section 3 (2) (b) of the Act, they shall be declared elected. The number thus elected shall be deemed to be the number required by the said proviso. If the number of such candidates is in excess of the required number but the number of all the nominated candidates does not exceed the total number to be elected, all the candidates shall be declared elected. In every other case there shall be a poll as prescribed by these rules.

12. *Publication of list of candidates.*—(a) Not less than 20 clear days before the date fixed for elections, the Secretary shall publish the name of all the candidates validly nominated except the names of those who have withdrawn under rule 10 as nearly as possible in Form 'B' on the Notice Board of the Bar Council.

(b) Copies thereof shall also be sent to the Advocate General and to the Bar Associations.

13. *Preparation of list of voters.*—The Electoral Rolls containing the list of voters shall be prepared in accordance with the rules of the Bar Council of India.

14. *Form of voting paper.*—The Voting paper shall contain the names of all the candidates. The address of the candidate and the date of his enrolment as Advocate as in the roll shall be given against the name of each candidates who on the relevant date have been on the State Roll for at least 10 years for the purposes of proviso to Section 3 (2) (b) of the Act. The voting paper shall also bear on it the facsimile of the Secretary's signature. It shall state the total number of the candidates to be elected. The voting paper shall, as nearly as possible, be in the Form 'C'.

15. *Despatch of voting papers to persons permitted to send their voting papers by post.*—Not less than fifteen clear days before the first date fixed for polling in the notification issued under Rule 6, the Secretary shall despatch by registered post to the address of the voters entitled to vote by post a voting paper together with a small cover entitled "Voting Paper Cover" and a bigger envelope. A voting paper when posted as aforesaid shall be deemed to have been duly received by the voter.

16. *Marking of voting papers received by post and despatch thereof.*—The voting paper, after it has been marked, shall be placed in the small cover entitled "Voting Paper Cover", which shall be placed in the bigger envelopes. Thereafter the envelope shall be signed by the voter and his signature shall be attested by any Judge or Magistrate and unless it is so signed, and attested the voting paper shall be invalid. The bigger envelope shall after the attestation be returned by post so as to reach the Secretary by the time notified under Rule 6. Immediately after receipt, the Secretary shall put all such envelopes into the sealed box kept for the purpose.

17. *Voting in person.*—Voters required to vote in person under these rules shall cast their votes at the respective polling booths on the dates notified in this behalf

18. *Polling booths for voters voting in person.*—There may be one or more polling booths at each place. Different dates may be fixed for polling at the different booths. Polling shall

ordinarily be from 10 A. M. to 5 P. M. The Returning Officer shall appoint a sufficient number of polling officers for the booths, and may himself act as such at one or more of the booths. The Bar Council may give such general directions as it may consider necessary with regard to places where polling booths ought to be established and the persons to be appointed as Polling Officers.

19. *Second voting paper not to be issued.*—When a voting paper has once been handed over to a voter or sent by registered post to a voter under these rules, a second voting paper shall not be issued to him unless he satisfies the Secretary or the Polling Officer as the case may be that the voting paper has been spoiled or mutilated or lost or destroyed or has not been received by him, in which case a duplicate voting paper may be issued to him.

20. *Despatch of voting papers to polling officers for voting in person.*—The Secretary shall send to the Polling Officers of the booths requisite number of voting papers and some additional voting papers bearing his facsimile with a covering letter stating the number of the papers sent and enclosing an extract from the electoral roll relating to the polling booth, and other papers, if and with necessary instructions.

21. *Supply of voting papers to voters voting in person.*—The Polling Officers shall, on the date and at the time or hour fixed in this behalf, supply a voting paper to each voter in his polling booth, who applies in person therefor, and take his signature in the list of voters against the voter's name to signify the issue of the voting paper. The Polling Officer shall also enter the number of ballot paper so issued in the copy of the electoral roll set apart for the purpose.

22. *Procedure for persons voting in person.*—(1) A voter who has received a voting paper under rule 21 shall retire to a place screened from outside view and mark his preference in the manner prescribed. The voter shall then put it in a sealed box kept for the purpose.

(2) As soon as practicable after the closing of the polling Officer shall close the slit of the ballot box and where the box and where the box does not contain any mechanical device for closing the slit, he shall seal up the slit and also allow any candidate or his agent present to affix his seal. The ballot box shall thereafter be sealed and secured.

(3) When it is necessary to use a second ballot box the first box shall be closed, sealed and secured as provided in sub-rule 2 before the second ballot box is put into use. The Polling Officer shall, at the close of the poll prepare an account of ballot papers in Form 'D' and enclose it in a separate cover with the words "Voting Paper Account" superscribed thereon.

(4) *Sealing of other packets*.—The Polling Officer shall make into separate packets :

- (a) the marked copy of electoral roll;
- (b) the unused ballot papers;
- (c) the cancelled ballot papers;
- (d) any other paper directed by the Secretary to be kept in a sealed packet. Each packet shall be sealed with the seal of the Polling Officer and of the candidate or his agents present who may desire to affix their seal thereof.

(5) *Transmission of Ballot Boxes etc.*.—The Polling Officer shall then deliver to the Secretary at such place as he may direct or send by post or otherwise in any way as directed :—

- (a) the ballot boxes containing the ballot papers,
- (b) the account of the ballot papers,
- (c) the sealed packets referred to in sub-rule (4) above, and
- (d) all other papers used at the poll.

23. *Marking of ballot paper* ;—(1) A voter in giving his vote :

- (a) shall place on his voting paper the figure '1' in the space opposite the name of the candidate whom he chooses for his first preference, and
- (b) may in addition place on his voting paper the figure '2' or the figures '2' and '3' or the figures '2', '3' and '4', and so on, in the space opposite the names of the other candidates in the order of his preference.

(2) A voting paper shall not be signed by a voter, and in the event of any erasures, obliterations or alterations in the voting paper or of the voting paper purporting to have been signed by the voter, the voting paper shall be deemed to have been defaced and no votes purporting to have been given thereby shall be taken into account for the purposes of the election

(3) The decision of the Advocate General whether voting paper has or has not been defaced shall be final.

24. *Voting papers when invalid* :—A voting paper shall be invalid on which :

- (a) the figure '1' is not marked : or
- (b) the figure '1' is set opposite the name of more than one candidate or is so placed as to render it doubtful to which candidate it is intended to apply; or
- (c) the figure '1' and some other figures are set opposite the name of the same candidate; or

(d) there is any mark in writing by which the voter can be identified;

(e) the preferences are indicated in words as 'One' 'Two' etc.

(f) the marking on the voting paper is not in the international form of Indian numerals.

25. *Presence of candidate or his agent during counting* :—At the time of counting, the candidate or his agent shall be entitled to be present.

26. *Arrangement of valid voting papers in parcels* :—(a) on the day fixed for counting, the packets containing postal voting papers shall be handed over to the Returning Officer. The Returning Officer shall open all the ballot boxes and the packets containing postal voting papers. After rejecting the voting papers which are invalid or which can not be taken into account for the purpose of election under these rules, the Returning Officer shall;

(b) arrange the remaining voting papers in parcels according to the first preference recorded for each candidate,

(c) count and record the number of papers in each parcel,

(d) credit to each candidate the value of papers in his parcel.

27. *Ascertainment of Quota* :—Every voting paper shall be deemed to be of the value of one hundred, and the quota sufficient to secure the return of a candidate at the election shall be determined as follows :—

(a) add the value credited for a candidate under clause (d) of rule 26;

(b) divide the total by a number which exceeds by one of the number of seats to be filled; and

(c) add one to the quotient, ignoring the remainder if any; the resulting number is the quota.

28. *Candidates with quota to be elected* :—If at the end of any count, or at the end of the transfer of any parcel or sub-paragraph of an excluded candidate, the value of voting papers credited to a candidate is equal to or greater than the quota that candidate shall be declared elected;

Provided that :—(i) No candidate who has not been an advocate on the State Roll for at least 10 years shall be elected if 10 candidates of less than 10 years' standing have already been declared elected.

(ii) If at the end of any count, there are two or more candidates, who have not been on the State Rolls for at least 10 years, getting more than the quota as aforesaid but the number of candidates, that can yet be elected from such category under

the proviso to Section 3 (2) (b) is less than that number, the candidate who has obtained the greater value of votes shall be declared elected in preference to the candidate whose value of votes is less.

(iii) In the case of two or more persons of the category referred to in proviso (ii) above, getting the same value of votes at the end of any count, the Returning Officer conducting the election shall decide by lot which of such persons shall be declared elected.

(iv) The other candidate or candidates not declared elected as aforesaid by reason of the proviso to Section 3 (2) (b) of the Act and these rules shall be excluded from the poll.

29. Transfer of Surplus : (i) If after exclusion of any candidate under rule 30 at the end of any count, the value of the voting paper credited to a candidate is greater than the quota, the surplus shall be transferred in accordance with the provisions of this rule to the continuing candidates indicated on the voting papers of that candidate as being next in order of the voter's preference.

(ii) If more than one candidate have a surplus, the surplus shall be dealt with first and the other in order of magnitude;

Provided that—Every surplus arising on the first count shall be dealt with before those arising on the second count and so on.

(iii) Where there are more surplus than one to distribute and two or more surpluses are equal regard shall be had to the original votes of each candidate, and the candidate for whom more original votes are recorded shall have his surplus first distributed, and if the value of the original votes is equal, the Returning Officer shall decide by lot which candidate shall have his surplus first distributed.

(iv) (a) If the surplus of any candidate to be transferred arises on the original votes only, the Returning Officer shall examine all the papers in the poll belonging to that candidate, divided the unexhausted papers into sub-paragraph according to the next preference, recorded thereon and make a separate sub-paragraph of the exhausted papers.

(b) The Returning Officer shall ascertain the value of the papers in each sub-paragraph and of all the unexhausted papers.

(c) If the value of the unexhausted papers is equal to or less than the surplus, the Returning Officer shall transfer all the unexhausted papers at the value at which they were received by the candidates whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus, the Returning Officer shall transfer the sub-parcel of the unexhausted papers, and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers.

(v) If the surplus of any candidate is to be transferred arises from transferred as well as original vote the Returning Officer shall re-examine all the papers in the sub-parcel last transferred to the candidate, divide the unexhausted papers into sub-parcels, according to the next preferences recorded thereon, and then deal with the sub-parcel in the same manner as is provided in the case of such parcel referred to in sub-rule 4.

(vi) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.

(vii) All papers in the parcel or sub-parcel of an elected candidate not transferred under this rule shall be set apart as finally dealt with.

30. *Exclusion of Candidates*:—The Returning Officer conducting the elections shall exclude from the poll candidates as specified in rule 3 (b) (i) of the rules of the Council contained in Chapter II Part III,

31. *Filling of Last Vacancies*:—The procedure prescribed in rule 3 (e) of the rules of the Council in Chapter II part III shall be followed.

32. *Fractions Etc. to be Disregarded*:—In carrying out of the provisions of rules 28 to 31, the Returning Officer shall disregard all fractions and ignore all preferences recorded for candidates already elected or excluded from the poll.

33. *Determination of Result and Publication Thereof*:—

(1) Upon the completion of the count, a list of the candidates elected to the Bar Council shall be prepared and signed by the Returning Officer and submitted by him to the Advocate General who shall verify the same by his signature.

(2) After such certificate, a copy of the list shall be published in the official gazette and shall also be sent to the Advocate General and to the Bar Associations to be affixed as they may direct, and may also be sent to other similar associations. A copy of the names shall also be put up on the Notice Board of the Bar Council.

(3) On the publication of the list in the official Gazette the persons whose names appear in the list shall be deemed to have been declared as elected. The members of the Bar Council shall be deemed to have been elected on the date of publication of their names in the official Gazette.

34. *Disputes as to the Validity of Elections* :—(1) Any voter may contest the validity of the election of a candidate declared to have been elected to the Bar Council by a petition signed by him and supported by an affidavit and delivered to the Secretary personally or sent by registered post so as to reach him within 15 days from the date of publication of the results of the election.

(2) The petition shall be accompanied by a fee of Rs. 10/-, which shall be paid in cash or sent by Money Order. In case it is sent by M. O., the M. O. receipt shall also be attached to the petition. The fee shall not be refundable.

(3) Such petition shall include as respondents all the contesting candidates, and the petition shall be accompanied by as many copies as there are respondents.

(4) All disputes arising under the above sub-rules shall be decided by a tribunal to be known as an Election Tribunal comprising 3 advocates who agree in writing not to seek election and whose names are on the State roll and who are not less than of 10 years' standing.

(5) The Election Tribunal shall be appointed by the Bar Council on or before the date on which the time of the election is fixed under Rule 4.

(6) The Election Tribunal shall have all or any of the following powers :—

- (i) To dismiss a petition;
- (ii) to order recount;
- (iii) To declare any candidate to have been duly elected on recount;
- (iv) To set aside the election of the candidate who either by himself or through any other person acting with his consent is guilty of corrupt practices.

The following shall be deemed to be corrupt practices for the purposes of this Act :

(1) 'Bribery', that is to say—

(A) any gift, offer or promise of any gratification to any person whomsoever, with the object, directly or indirectly of inducing—

(a) a person to stand or not to stand as, or to withdraw or not to withdraw from being a candidate at an election, or

(b) an elector to vote or refrain from voting at an election, or as a reward to,

(i) a person for having so stood, or not stood, or for having withdrawn or not having withdrawn his candidature; or

- (ii) an elector for having voted or refrained from voting;
- (B) the receipt of, or agreement to receive, any gratification whether as a motive or a reward—
 - (a) by a person for standing or not standing as or for withdrawing or not withdrawing from being a candidate; or
 - (b) by any person whomsoever for himself or any other person for voting or refraining from voting, or inducing or attempting to induce any elector to vote or refrain from voting, or any candidate to withdraw or not to withdraw his candidature.

For the purposes of this clause the term 'gratification' is not restricted to pecuniary gratifications or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward.

(2) "Undue influence, that is to say any direct or indirect interference or attempt to interfere with the free exercise of any electoral right including the issuing or sending of any appeal or manifesto for votes whether direct or indirect."

Provided that a mere intimation of a candidature with a bare request for a vote shall not amount to undue influence.

And provided further that a candidate or his agent may also orally ask for votes from voter; but on the date of election such requests shall not be made within a radius of 100 yards from the Polling Station. and a candidate may issue a written intimation to his voters announcing his candidature and seeking their votes or their first preference votes, which intimation shall not contain any other publicity or his eulogy. Such written intimation shall also not amount to "undue influence."

Attempt to secure from any voter his ballot paper with intent to prevent him from transmitting it directly or with intent to ensure that the vote has been cast or is to be cast for a particular candidate shall be deemed to interfere with the free exercise of the electoral right of the said voter.

(3) The hiring or procuring, whether on payment or otherwise of any vehicle or vessel or the use of such vehicle or vessel for the free conveyance of any elector to or from any polling station.

*Explanation :—*The vacancy arising under Sub rule (6) (iv) shall be filled up as a casual vacancy.

(v) In other cases to declare a vacancy to be filled up as a casual vacancy.

(vi) To make an order as to costs.

(7) The trial of an election petition shall as far as possible be governed by the Civil Procedure Code.

(8) No petition shall lie on the ground that any nomination paper was wrongly rejected or the name of any voter was wrongly included in or omitted from the electoral roll or any error or irregularity which is not of a substantial character.

(9) The voting papers and other records relating to the elections shall not be destroyed until the expiry of the time fixed for the filing of any petition under Clause 1 of this rule.

(10) In case where a petition or petitions have been filed under Sub-rule 1, no such voting papers or records shall be destroyed till all the election petitions are finally disposed of.

35. *Conduct of elections.*—Except as otherwise provided in these rules the Secretary shall be incharge of the conduct of the election.

*Explanation :—*For the purposes of these, rules, the "Secretary" shall mean a person appointed as Secretary under Section 7 of the Act, or any other person appointed by the Bar Council to perform the duties of the Secretary under these rules.

THE BAR COUNCIL OF RAJASTHAN

JODHPUR.

FORM 'A'

(Under Rule 8)

Nomination Paper for election to the Bar Council of Rajasthan.

To,

The Secretary,
Bar Council of Rajasthan,
JODHPUR.

Sir,

We nominate....., an Advocate on the roll of the Bar Council of Rajasthan enrolled on..... practising atas a candidate for election to the Bar Council of Rajasthan to be held on

(1) Name

Address.....

.....

Number in the Electoral Roll.....

Date.....

Signature

and

(2) Name.....

Address

.....

Number in the Electoral Roll.....

Date.....

Signature

I am willing to serve on the Bar Council, if elected.

*Signature of the Candidate*Name and address
of the Candidate :Number in the
Electoral Roll ..
Enrolled on

Date :

N. B. :—Every nomination paper shall be accompanied by a deposit of Rs 200/- (Two hundred). Cheques will not be accepted. If more proposals than one received in respect of a candidate, a single deposit of Rs. 200/- only would be sufficient.

THE BAR COUNCIL OF RAJASTHAN

FORM 'B'

Subject to Necessary Modifications

(Under Rule 12 (a))

List of Candidates :—The following is the list of candidates for the election to the Bar Council to be held on.....

1. Candidates whose name have been on the State Roll for at least 10 years as required the proviso to Section 3 (2) (b) of the Act.

Name

Date of
enrolmentOrdinary place
of practice

1

2

3

II. Candidates who have been on the State Roll for less than 10 years.

Name

Date of
enrolmentOrdinary place
" of practice

1

2

3

Secretary

Date.....

BAR COUNCIL OF RAJSHAN

THE BAR COUNCIL OF RAJASTHAN

FORM NO. 'C'

(Under Rule 14)

Instructions for the guidance of Voters.

(For all whether voting in person or by post)

1. The number of members to be elected is Twenty (20)
2. The voting is by the single transferable preference vote.
3. The mark should be so placed as to indicate clearly and beyond doubt to which candidate he is giving his vote. If the mark is so placed as to make it doubtful to which candidate the vote has been given, that vote will be invalid.

4. *Marking of Ballot Paper.* (1) A voter in giving his vote (a) shall place on his voting paper the figure '1' in the space opposite the name of the candidate whom he chooses for his first preference ; and

(b) may in addition place on his voting paper the figure '2' or the figures '2' and '3' or the figures '2', '3', '4' and so on, in the space opposite the names of the other candidates in the order of his preference.

(2) A voter shall not sign the voting paper nor place any mark thereon by which he can be identified.

5. *Voting paper when invalid.* A voting paper shall be invalid on which—

(a) the figure '1' is not marked ; or

(b) the figure '1' is set opposite the name of more than one candidate or is so placed as to render it doubtful to which candidate it is intended to apply ; or

(c) the figure '1' and some other figures are set opposite the name of the same candidate ; or

(d) there is any mark in writing by which the voter can be identified; or

(e) the preferences are indicated in words as "One", "Two" etc., or

(f) the marking in the voting paper is not in the international form of Indian numerals , or

(g) if there is such effacement, obliteration, erasure or mutilation as to make the first preference ambiguous ; or

(h) in the case of a person whose voting paper is sent by post, if it is not properly attested by a Judge or a Magistrate as required under Rule 16.

6. *Voter voting in person.* A voter voting in person shall put the voting paper after voting, into the ballot box.

7. *Voter Voting by post.*—A voter entitled to send his voting paper by post shall put the voting paper inside the Small Cover entitled "Voting Paper Cover", and have the cover pasted, and after pasting, he shall put the small cover into a bigger envelope which shall be signed by the voter in the presence of a Judge or a Magistrate. Thereafter the envelope containing the voting paper shall be sent by the registered post to the Secretary of the Council.

VOTING PAPER
THE BAR COUNCIL OF RAJASTHAN
 (Election Dated.....)

20 Members have to be elected

S. No.	Names as in Roll	Date of enrolment	Place and address	Mark of voter
1.	Samson*	1-5-1905		....
2.	Ranga	4-5-1965		....

*An asterisk mark indicates that the name of the candidate has been on the State Roll for at least ten years.

Date.

Facsimile of Secretary

FORM 'D'
 (Under Rule 22)

Election to the Bar Council of Rajasthan

1. Name of polling booth.
2. Total number of ballot papers supplied.
3. Total number of ballot papers used.
4. Total number of duplicate ballot papers supplied.
5. Total number of duplicate ballot papers used.
6. Date.
7. Signature of polling Officer.

Date:

Signature

Place:

of
Polling Officer

Secretary

BAR COUNCIL OF RAJASTHAN

Rules framed under Advocates Act, 1961 Concerning practice of advocates in High Court and the Courts Subordinate thereto.

Rajasthan High Court, Jodhpur

Notification G. S. R. 112 dated January 22, 1970.—In exercise of the powers conferred by sub-section (1) of section 34 of the Advocates Act, 1961 (Act 25 of 1961), the High Court of Judicature for Rajasthan hereby makes the following rules laying down the conditions subject to which an advocate shall be permitted to practice in the said High Court and the courts subordinate thereto,—

1. In these rules unless there is anything repugnant in the subject or context, the word “advocate” shall include a partnership or a firm of advocates.

2. Save as otherwise provided for in any law for the time being in force, no advocate shall be entitled to appear, plead or act for any person in any court in any proceeding unless the advocate files an appointment in writing signed by such person or his recognised agent or by some other person duly authorised by or under a power of attorney to make such appointment and signed by the advocate in token of its acceptance, or the advocate files a memorandum of appearance in the form prescribed by the High Court:

Provided that where an advocate has already filed an appointment in any proceeding, it shall be sufficient for another advocate, who is engaged to appear in the proceeding merely for the purposes of pleading, to file a memorandum of appearance or to declare before the court that he appears on instructions from the advocate who has already filed his appointment in the proceeding:

Provided further that nothing herein contained shall apply to an advocate who has been requested by the court to assist the court *amicus curiae* in any case or proceeding, or who has been appointed at the expense of the State to defend an accused person in a Criminal proceeding.

Explanation.—A separate appointment or a memorandum of appearance shall be filed in each of the several connected proceedings, notwithstanding that the same advocate is retained for the party in all the connected proceedings.

3. An advocate who is not on the Roll of Advocates of the Bar Council of the State in which the Court is situate, shall not appear, act or plead in such Court, unless he files an appointment along with an advocate who is on the Roll of such State Bar Council and who is ordinarily practising in such Court.

4. In cases in which a party is represented by more than one advocate, it shall be necessary for all of them to file a joint appointment or for each of them to file a separate one.

5. The acceptance of an appointment on behalf of a firm or partnership of advocates shall be indicated by a partner affixing his own signature as partner on behalf of the firm or partnership of advocates.

6. An advocate at the time of acceptance of his appointment shall also endorse on it his address, which address shall be regarded as one for service within the meaning of rule 5 of Order III of the Code of Civil Procedure, 1908.

Provided that where more than one advocate accept the appointment, it shall be sufficient for one of them to endorse his address, which address shall be regarded as one for service within the meaning of rule 5 of Order III, Code of Civil Procedure.

7. Where an advocate appointed by a party in any of the proceedings is prevented by reasonable cause from appearing and conducting the proceedings at any hearing, he may instruct another advocate to appear for him at that hearing.

8. (1) In civil cases, the appointment of an advocate, unless otherwise limited, shall be deemed to be in force to the extent provided in that behalf by rule 4 of Order III of the Code of Civil Procedure, 1908.

(2) In criminal cases, the appointment of an advocate, unless otherwise limited, shall be deemed to be in force until determined with the leave of the Court by writing signed by the party or the advocate as the case may be, and filed in Court, or until the party or the advocate dies, or until all proceedings in the case are ended so far as regards the party.

(3) For the purposes of sub-rule (2), a case shall be deemed to mean every kind of enquiry, trial or proceeding before a criminal court whether instituted on a police report or otherwise and shall include,—

(i) an application for bail or reduction, enhancement or cancellation of bail in the case,

(ii) an application for transfer of the case from one court to another,

(iii) an application for stay of the case pending disposal of a civil proceeding in respect of the same transaction out of which the case arises,

(iv) an application for suspension, postponement or stay of the execution of the order or sentence passed in the case,

(v) an application for the return, restoration or restitution of the property as per the order of disposal of property passed in the case,

(vi) an application for leave to appeal against an order of acquittal passed in the case,

(vii) any appeal or application for revision against any order or sentence passed in the case,

(viii) a reference arising out of the case,

(ix) an application for review of an order or sentence, passed in the case or in an appeal, reference, revision arising out of the case,

(x) an application for making concurrent sentence awarded in the case or in an appeal, reference, or revision or review arising out of the case,

(xi) an application relating to or incidental to or arising in or out of any appeal, reference, revision or review arising in or out of the case (including an application for leave to appeal to the Supreme Court),

(xii) any application or act for obtaining copies of documents or for the return of articles or documents produced or filed in the case or in any of the proceedings mentioned hereinbefore,

(xiii) any application or act for obtaining the withdrawal or the refund or payment of or out of the moneys paid or deposited in the court in connection with the case or any of the proceedings hereinbefore mentioned (including moneys paid or deposited for covering the costs of the preparation and the printing of the Transcript Record of Appeal to the Supreme Court),

(xiv) any application for the refund of or out of the moneys paid or recovered as fine or for the return, restitution or restoration of the property forfeited or confiscated in the case or in any appeal, reference, revision or review arising out of the case as per final orders passed in that behalf,

(xv) any application for expunging remarks or observations on the record of or made in the judgment in the case or any appeal, reference, revision or review arising out of the case, and

(xvi) any application or proceeding for sanctioning prosecution under Chapter XXXV of the Code of Criminal Procedure, 1898, or any appeal or revision arising from and out of any order passed in such an application or proceeding:

Provided that where the venue of the case or the proceedings is shifted from one Court (subordinate or otherwise) to another, the advocate filing the appointment referred to in sub-

rules (1) and (2) above in the former court shall not be bound to appear, act or plead in the latter court unless he files or he has already filed a memorandum signed by him in the latter court that he has instructions from his client to appear, act or plead, as the case may be, in that court.

9. (1) Except when specially authorised by the court or by consent of the party, an advocate, who has advised in connection with the institution of a suit, appeal or other proceeding or has drawn up pleadings in connection with such matter, or has during the progress of any suit, appeal or other proceeding appeared, acted or pleaded for a party, shall not, unless he first gives the party whom he has advised or for whom he has drawn up pleadings, appeared, acted or pleaded an opportunity of engaging his services, appear or act or plead in such suit, appeal or other proceeding or in an appeal or application for revision arising there from or in any matter connected therewith for any person whose interest is in any manner in conflict with that of such party:

Provided that the consent of the party may be presumed if he engages another advocate to appear, act or plead for him in such suit, appeal or other proceeding without offering an engagement to the advocate whose services were originally engaged by him or on his behalf

(2) Where it appears on the face of the record that the appearance of an advocate in any proceeding for any party is prejudicial to the interest of the other party on account of the reasons mentioned in sub-rule (1) above, the court may refuse to permit the appearance to be filed or cancel such appearance if it has already been filed, after giving the said advocate an opportunity of being heard.

(3) An advocate who discloses to any party information confided to him in his capacity as an advocate by another party without the latter's consent shall not be protected merely by reason of his being permitted to appear, act, or plead for the said party.

10. (a) The appointment of a firm or partnership of advocates may be accepted by any partner on behalf of the firm.

(b) No such firm or partnership shall be entitled to appear, act or plead in such court.

(c) The name of the firm or partnership may contain the name of the persons who were or are members thereof but of no others.

(d) The words "and Company" shall not be affixed to the name of any such partnership or firm.

(e) The names of all the partners of the firm shall be recorded with the Registrar of the High Court and/or the Dist-

dict Judge, as the case may be, and the State Bar Council, and the names of all the partners shall also be set out in all professional communications issued by the partners or the firm.

(f) The firm or partnership of advocates shall notify to the Registrar of the High Court and/or the District Judge, as the case may be, and also to the State Bar Council, any change in the composition of the firm or partnership and the fact of its dissolution as soon as may be from the date on which such change occurs or the dissolution takes place.

(g) Every partner of the firm or partnership of advocates shall be bound to disclose the names of all the partners of the firm or partnership whenever called upon to do so by the Registrar of the High Court, the District Judge, the State Bar Council, any court or any party for or against whom the firm or partnership or any partner thereof has filed the appointment or memorandum of appearance.

(h) In every case where a partner of a firm or partnership of advocates signs any document or writing on behalf of the firm or partnership he shall do so in the name of the firm or partnership and shall authenticate the same by affixing his own signature as partner.

(i) Neither the firm or partnership of advocates nor any partner thereof shall advise a party or appear, act or plead on behalf of a party in any matter or proceeding where the opposite party is represented by any other partner of the firm or partnership or by the firm or partnership itself.

11. No advocate shall be permitted to file an appointment or memorandum of appearance in any proceeding in which another advocate is already on record for the same party save with the consent of the former advocate on record or the leave of the court, unless the former advocate has ceased to practise or has by reason of infirmity of mind or body or otherwise become unable to continue to act.

12. An advocate may correct any clerical error in any proceedings with the previous permission of the Registrar, or an officer of the court specially empowered in this behalf by the court, obtained on a memorandum stating the correction desired.

13. No advocate who has been debarred or suspended or whose name has been struck off from the Roll of Advocates shall be permitted to act as a recognised agent of any party within the meaning of Order III of the Code of Civil Procedure, 1908.

14. No advocate who has been found guilty of contempt of court shall be permitted to appear, act or plead in any court unless he has purged himself of the contempt.

15. (1) Advocates appearing before any court shall wear the following as part of their dress,—

(i) Advocates other than lady advocates,—

(a) Black buttoned up coat or black chapkan, achakan, or sherwani. with Barrister's gown and bands, or

(b) black open collar coat, white shirt, white collar (stiff or soft) with Barrister's gown and bands.

(ii) Lady Advocates

Barrister's gown and bands.

(2) The High Court may dispense with the use of Barrister's gown during the summer vacation.

[Pub, in Raj. Gaz. Ex. (Ga) (I)—Dt. 12--2--70--Page 249]

Rules and Notifications under
AGRICULTURE LOANS ACT, 1957. THE RAJASTHAN
(1 of 1957)

Rajasthan Agricultural Loans Act, 1956

REVENUE (C) DEPARTMENT

Notification G. S. R. 105, dated October 30, 1969.—In exercise of the powers conferred by section 11 of the Rajasthan Agricultural Loans Act, 1956 (Rajasthan Act 1 of 1957), the State Government hereby makes the amendments in the Rajasthan Agricultural Loans (Taqavi) Rules, 1958, as originally published under Revenue Department Notification No. F. 3 (13) Rev. II/53 dated the 13th February, 1958, in the Rajasthan Rajpatra, ordinary, part IV-C dated the 17th April, 1958, at page 173 to 201, namely:—

AMENDMENTS

In the Rajasthan Agricultural Loans (Taqvi) Rules, 1958.

1. In sub-rule (1) of rule 4, the word "Government" shall be substituted by the words "Board of Revenue."

2. In sub-rule (2) of rule 4, the words "Revenue Department" shall be substituted by the words "Board of Revenue."

3. In rule 5, the word "Government" shall be substituted by the words "Board of Revenue."

4. In rule 6, the word "Government" shall be substituted by the words "Board of revenue."

5. In sub-rule (2) of rule 11, the word "Commissioner" shall be substituted by the words "Board of Revenue."

6. In rule 22, the words and punctuation mark "the Lambardar; as also from the Sub-Registrar" shall be substituted by the words "from the Sub-Registrar."

7. In sub-rule (1) of rule 34, the word "Commissioner" shall be substituted by words "Board of Revenue."

8. In rule 35, the word "Lambardars" shall be deleted.

9. In rule 69, the words "Revenue Department" shall be substituted by the words "Board of Revenue."

10. In rule 71, the words "Government in the Revenue Department" shall be substituted by the words "the Board of Revenue".

11. The existing Rule 73 shall be substituted by the following:—

"73. These statements shall be prepared in duplicate and sent to the Board of Revenue who will examine it thoroughly as to which of the districts have been slack in effecting recovery and enquire into the reasons of the slackness. The Board of Revenue will send one copy of the statement to the Government in the Revenue Department.

Rules and Notifications under

RAJASTHAN AGRICULTURAL PRODUCE MARKETS ACT, 1961.

THE RAJASTHAN ACT (38 OF 1961)

Rajasthan Agricultural Produce Markets (Amendment) Rules, 1968.

AGRICULTURE (V) DEPARTMENT

Notification No. F.10. (2) Agri. V/67, dated July 30, 1968.-In exercise of the powers conferred by section 36 of the Rajasthan Agricultural Produce Markets Act, 1961 (Rajasthan Act 38 of 1961), the State Government hereby makes the following rules, the same having been previously published as required by sub-section (4) of the said section further to amend the Rajasthan Agricultural Produce Markets Rules, 1963, namely:-

1. *Short title.*—These rules may be called the Rajasthan Agricultural Produce Markets (Amendment) Rules, 1968.

2. In the Rajasthan Agricultural Produce Markets Rules, 1963.-

(1) rule 32A shall be deleted and rule 32B shall be renumbered as rule 32.

(2) for sub-rule (1) of rule 32 so renumbered, the following shall be substituted, namely:—

“(1) The Collector or any person authorised by him in this behalf shall call the first meeting of a newly constituted Market Committee to elect its Chairman and Vice-Chairman from amongst its members. For the purpose of this election, the Collector or the person authorised by him in this behalf shall preside over the meeting but shall not vote.”

(3) Clause (iv) of rule 33 shall be deleted ; and

(4) Clause (a) of sub-rule (3) of rule 41 shall be deleted.

[Pub. in Raj. Gaz. 4 (Ga)--Dt. 31-7-68- Page 381]

Rules and Notifications under

ARMS ACT, 1959.
(CENTRAL ACT No. 54 OF 1959).

Arms Rules, 1962.

HOME 'D' DEPARTMENT

Notification G. S. R. 1/69 dated May 12, 1969—In pursuance of entries in column No. 7 against item numbers 10 and 11 of the Schedule II to the Arms Rules, 1962, the State Government hereby specially empowers all the District Magistrates in Rajasthan to exercise the powers exercisable by the State Government to renew the licence in Form numbers XI and XII appended to the said Rules, within their respective jurisdiction :

Provided that the powers to increase the sanctioned quantity of arms and ammunition shall continue to vest in the State Government.

[Pub. in Raj. Gaz. Ex. 4(Ga) (II)—Dt. 14-8-69--Page 123]

Rules and Notifications under

BEEDI & SIGAR WORKERS (CONDITIONS OF EMPLOYMENT)
ACT, 1966 (CENTRAL ACT No. 32 OF 1966).

THE RAJASTHAN Beedi & Cigar Workers (Conditions of Employment) Rules, 1969.

LABOUR AND EMPLOYMENT DEPARTMENT

Notification S. O. 18. dated March 7, 1969--In exercise of the powers conferred by section 44 of the Beedi & Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966), the State Government hereby publish the Rajasthan Beedi & Cigar Workers (Conditions of Employment) Rules, 1969, the same having been published previously in Rajasthan Raj-patra, Extraordinary, Part III (B), page 17 to 55, dated 8th February, 1968, as required by subsection (1) of section of the said Act, namely:-

CHAPTER I

Preliminary

1. *Short title.*--These rules may be called the Rajasthan Beedi and Cigar Workers (Conditions of Employment) Rules, 1969.

2. *Definitions.*--In these rules, unless the context otherwise requires -

(a) "ACT" means the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966);

(b) "FORM" means a Form appended to these rules ;

(c) "Section" means a section of the Act.

CHAPTER II

Licensing of Industrial Premises.

3. *Form of application for grant of licence and licence fees.*--

(1) Every application under sub-section (1) of section 4 for a licence to use or allow to be used any place or premises as industrial premises shall be made in duplicate in Form 1.

(2) The application shall be accompanied by the following documents, namely:-

(a) Plans in triplicate showing--

(i) the site of such place or premises, the areas therein to be used for manufacturing processes and the immediate surroundings of such place or premises, including adjacent buildings, structures, roads, drains and the like; and

(ii) the plan, elevation and necessary cross section of the details relating to natural lighting, ventilation, means of escape in case of fire, position of the plant and machinery, if any, used aisles and passage ways in or in relation to, the various

buildings which are intended to be used for manufacturing processes;

(b) the treasury receipt or a Crossed Indian Postal Order, a Bank Draft as the case may be, showing that the appropriate fee for the licence as specified in rule 8 has been paid.

(3) The application in duplicate together with the documents specified in sub-rule (2) shall be sent by registered post or delivered by hand under acknowledgement to the competent authority.

(4) Before granting a licence, the competent authority shall also take into consideration whether the site of any industrial premises is proposed to be altered, or whether any industrial premises has been closed, by the applicant during the period of twelve months immediately preceding the date of the application with a view to causing prejudice to the interests of the labour.

4. *Applications for renewal.*—(1) Every application for renewal of a licence under section 4 shall be made in Form 1. The application shall be accompanied by the following documents, namely:—

(a) the licence sought to be renewed;

(b) the treasury receipt or a Crossed Indian Postal Order or a Bank Draft as the case may be showing that the appropriate fee for the renewal of the licence as specified in rule 8 has been paid.

(2) The application together with the documents specified in sub-rule (2) shall be sent by registered post or delivered by hand under acknowledgement to the competent authority.

(3) The provisions of sub-rule (4) of rule 3 shall, so far as may be, apply to an application made under this rule.

5. *Form and terms and conditions of licence.*—(1) A licence under section 4 shall be in Form 11.

(2) Every licence granted or renewed under section 4 shall be subject to the following conditions, namely:—

(i) the manufacturing process shall be carried on only in that part of the industrial premises specified for the purpose in the licence;

(ii) the maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence ;

(iii) power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises ;

(iv) except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like permission, i.e. structural alterations shall be made in any building on such premises ;

(v) the licence shall not be transferable;

(vi) except as provided in rule 9, the fees paid for the grant, or as the case may be, renewal of the licence shall be non-refundable.

6. *Issue of Duplicate licences.*—(1) If a licence under section 4 is lost, stolen or destroyed, the licensee shall forthwith report the matter to the competent authority by whom the licence was issued, or as the case may be, last renewed and may make an application to that authority for the issue of a duplicate licence.

(2) The application shall be accompanied by a treasury receipt or a Crossed Indian Postal Order or Bank Draft, as the case may be, showing that the fee for the issue of a duplicate licence as specified in rule 8 has been paid.

(3) On receipt of the application, the competent authority shall grant to the applicant a duplicate copy of the licence duly stamped "duplicate" in red ink.

7. *Appeals under section 5.*—An appeal under section 5 of the Act shall—

(a) be made in writing within a period of thirty days from the date of the receipt of the order sought to be appealed against;

(b) be accompanied by a treasury receipt or a Crossed Indian Postal Order or a Bank Draft, as the case may be, showing that the appropriate fee in respect of the appeal as specified in rule 8 has been paid.

8. *Fees.*—(1) The fees to be paid for the grant or renewal of a licence under section 4 shall be as specified in the Table below:—

TABLE

	Fees for industrial premises in which power-driven machinery is used.	Fees for industrial premises in which power driven machinery is not used-
	(1) Rs.	(2) Rs.
If the number of employees proposed to be employed on any day during the financial year for which the licence is required or renewed—		
(a) does not exceed ten	15/--	10/--
(b) exceeds ten but does not exceed twenty	30/--	20/--

(c) exceeds twenty but does not exceed fifty	75/-	50/--
(d) exceeds fifty but does not exceed hundred	150/-	100/--
(e) exceeds hundred but does not exceed two hundred and fifty	300/-	250/-
(f) exceeds two hundred and fifty	550/-	500/--

(2) The fees to be paid for the grant of a duplicate licence shall be rupees five.

(3) The fees payable in respect of an appeal under section 5 of the Act shall be—

(a) rupees fifteen, in the case of an appeal against an order refusing to grant or renew a licence in respect of any place or premises the maximum number of employees proposed to be employed whereon is one hundred or more;

(b) rupees ten, in any other case.

(4) The fees payable as specified in this rule shall be paid into the nearest Government Treasury under the head of account—"XXXII-Miscellaneous Social & Development Organisation, (a) Labour & Employment (b) Fees realised under the Beedi and Cigar Workers Act, 1966," or by a Crossed Indian Postal Order or Bank Draft for the appropriate amount of fees drawn in favour of the Competent authority.

9. *Refund of fees.*—(1) If the competent authority refuses to grant or renew any licence under section 4, it shall order the refund of the fees paid thereof.

(2) If no industry or manufacturing process connected with the making of beedi or cigar is carried on in an industrial premises at any time during the period of validity of the licence in respect thereof, the licence may, within a period of three months from the last date of the financial year for which the licence was granted or renewed, apply to the competent authority for the refund of the fee paid by him for such licence and the competent authority shall, after making such enquiry as he may deem necessary and after satisfying himself about the correctness of the statements made in the application, order refund of such fee.

CHAPTER III

Health and Welfare.

10. *Cleanliness.*—(1) Every industrial premises shall be kept clean and free from effluvia, arising from any drain, privy or other nuisance and in particular.—

- (a) accumulations of dirt and refuse shall be removed daily by sweeping or by any other effective method from the floors and passages of work rooms and from staircases & passages and disposed of in a suitable manner;
- (b) the floor of every work room shall be cleaned at least once in every week by washing, using disinfectant, where necessary, or by some other effective method;
- (c) all inside walls and partitions, of ceilings of rooms and of walls, sides and staircases shall—
 - (i) where they are painted or varnished or where they have smooth impervious surface, be cleaned with fresh water and dried at least once in every period of fourteen months;
 - (ii) where they are painted or varnished, re-painted or re-varnished at least once in every period five years;
 - (iii) in any other case, be kept white-washed or colour washed at least once in every twelve months.

(2) The record of the dates on which white-washing, colour-washing, varnishing, painting or cleaning, as the case may be, was carried out under sub-rule (1) shall be entered by the employer in a register maintained in Form III.

11. *Ventilation*.—In every work room or hall of an industrial premises, windows and other forms of opening for ventilation shall be provided in sufficient number to admit a continued supply of fresh air so as to keep the atmosphere inside such room or shall comfortable and free from dust, fumes and other impurity.

12. *Latrines*.—(1) Latrine accommodation shall be provided in every industrial premises (other than industrial premises where less than twenty persons are employed or where the latrines are connected to a water-borne sewage system) at the rate of one latrine seat for every twenty male employees:

Provided that where the number of such male employees exceeds hundred, it shall be sufficient if there is one latrine seat for every twenty five male employees upto the first hundred one seat for every fifty in excess thereof.

Explanation.—In calculating the number of seats required in accordance with the provisions of this sub rule, any odd number of employees less than twenty, twenty five or fifty, as the case may be, shall be reckoned as twenty, twenty five or fifty.

(2) Where female employees are employed on any industrial premises, separate latrine accommodation shall be provided for them in accordance with the same scale as the scale for male employees specified in sub-rule (1).

(3) Every latrine shall be under cover and every seat in the latrine shall be so partitioned of as to secure privacy and each partition shall have a private door and fastenings.

(4) Where employees of both sexes are employed on any industrial premises, there shall be displayed outside each latrine block thereon a notice in the language understood by the majority of the employees reading "for men only" or, as the case may be, "for women only" and such notice shall also bear the picture of a man or a woman as the case may be.

13. *Urinals*.—(1) Urinal accommodation shall be provided in every industrial premises (other than industrial premises where less than fifty persons are employed or where the latrines are connected to a water borne sewage system) and such accommodation shall not be less than 0.60 metres in length for every fifty employees:

Provided that where the number of employees employed on the premises exceeds five hundred, it shall be sufficient if there is one urinal for every fifty employees upto the first five hundred employees and one for every hundred in excess thereof.

Explanation.—In calculating the urinal accommodation required under this rule, any odd number of employees less than fifty or hundred, as the case may be, shall be reckoned as fifty or hundred.

(2) Where female employees are employed on an industrial premises separate urinal accommodation shall be provided for them in accordance with the same scale as the scale for male employees specified in sub-rule (1).

14. *Latrines and Urinals to be connected to sewage system wherever possible*.—When any general system of underground sewage with an assured water supply is provided for or exists in any particular locality, all latrines and urinals in an industrial premises in such locality other than a septic tank latrine, shall be connected with such sewage system, if the industrial premises is situated within 30.5 metres of that sewage system.

15. *White-washing and colour-washing of latrines and urinals*.—(1) The walls, ceilings and partitions of every latrine and urinal shall be white-washed or colour washed and the same shall be repeated at least once in every period of four months

(2) Nothing in sub-rule (1) shall apply in respect of walls and ceiling of, and partitions in, a latrine or urinal or any portions of such walls, ceilings and partitions which are laid in glazed tiles or otherwise—finished to prove a smooth polished impervious surface, but such walls, ceilings, partitions or portions thereof shall be washed with suitable detergents and disinfectants at least once in every period of four months.

(3) The dates on which the white washing or colour-washing is carried out under sub-rule (1) or, as the case may be, washing with detergents and disinfectants is carried out under sub-rule (2) shall be entered by the register maintained in Form III.

16. *Construction and maintenance of drains.*—All drains-work on an industrial premises for carrying waste or sullage water shall be constructed in masonry or other permeable materials and shall be regularly flushed and effluent disposed of by connecting such drains with suitable drainage lines:

Provided that where there is no such drainage line, the effluent shall be deoderised in order to render it innocuous and then disposed of.

17. *Water taps etc. in latrines.*—Where piped water supply is available, a sufficient number of water taps conveniently accessible shall be provided in or near latrines on an industrial premises and where there is no continuous supply of water, water cisterns with cans shall be provided for washing purposes in or near such latrines.

18. *Washing facilities.*—(1) There shall be provided and maintained in every industrial premises for the use of employee engaged in blending and sieving of tobacco or warming of beedis in hot ovens, adequate and suitable facilities for washing which shall include soap and nail brushes or other suitable means of cleaning and such facilities shall be conveniently accessible and shall be made available in clean and orderly condition.

(2) If female employees are employed on any industrial premises, separate washing facilities on the same lines as those specified in sub-rule (1) in respect of male employees shall be provided for such female employees in enclosed or screened places in such manner that the interior portions of such places are not visible from any place where male employees work or pass through and the entrance to every such place shall bear a notice in the language understood by the majority of the employees reading "for woman only" in bold and conspicuous letters and such notice shall also bear the picture of a woman.

(3) Water supply for purposes of washing facilities under sub-rule (1) or sub-rule (2) shall be such as to provide at least 27.3 litres per day for each person employed in the industrial premises and such water shall be drawn from a hygienic source :

Provided that where an Inspector is satisfied that it is not practicable to make available water supply in accordance with the scale specified under this sub-rule, he may by a certificate in writing permit the supply of a lesser quantity which shall in any case be not less than 4.5 litres per day for each employee.

- (iii) three large size sterilised dressings;
- (iv) three large-size sterilised burn dressings;
- (v) one (1 oz) bottle containing a 2 per cent alcoholic solution of iodine;
- (vi) one (1-oz) bottle containing salvolatile having the dose and mode of administration indicated on the label;
- (vii) a snake-bite lancet;
- (viii) one (1 oz.) bottle of potassium permanganate (crystals);
- (ix) one pair scissors;
- (x) eye drops;
- (xi) adhesive plaster.

(3) Each first-aid box or cupboard shall be kept in the charge of a person who is trained in first-aid treatment and who shall always be readily available during the working hours of the industrial premises.

21. *Canteens*.—(1) The employer of every industrial premises wherein not less than 250 employees are ordinarily employed shall provide in, or near, the industrial premises, a canteen.

(2) The canteen shall not be situated within 15.2 meters of any latrine, urinal or any other source of dust.

(3) The canteen building shall consist of at least a dining hall kitchen, store-room and pantry in addition to washing places separately for employees and for utensils.

(4) The minimum height of the building shall be not less than 3.7 meters and all the walls and roof shall be of suitable heat-resisting materials and shall be water-proof. There shall be provision for adequate ventilation. The doors and windows shall be of fly-proof construction.

(5) The canteen shall be sufficiently lighted at all times when any person has access to it.

(6) (a) in every canteen—

- (i) all inside walls of rooms and all ceilings and passages and staircases shall be lime-washed or colour-washed at least once in each year or painted once in three years dating from the period when last lime-washed or colour-washed or painted, as the case may be;
- (ii) all wood-work shall be varnished or painted once in three years dating from the period when last varnished or painted;

(iii) all internal structural iron or steel work shall be varnished or painted in three years dating from the period when last varnished or painted:

Provided that the inside portion of the walls of the kitchen shall be limewashed once in every four months;

(b) The dates on which lime-washing, colour-washing, varnishing or painting is carried out shall be entered by the employer in the Register maintained in Form III.

(7) The precincts of the canteen shall be maintained in a clean and sanitary condition. Waste water shall be carried away in suitable covered drains and shall not be allowed to accumulate so as to cause a nuisance. Suitable arrangements shall be made for the collection and disposal of garbage.

(8) (a) The dining hall shall accommodate at a time at least 30 per cent of the employees working at a time.

(b) The floor of the dining hall, excluding the area occupied by the service counter and any furniture except tables and chairs shall be not less than 93 square meters per diner to be accommodated as specified in clause (a).

(c) A portion of the dining hall and service counter shall be partitioned off and reserved for women employees in proportion to their number. Washing places for women shall be separate and screened to secure privacy.

(d) Sufficient tables, chairs, or benches shall be available for the number of diners to be accommodated as specified in clause (a).

(9) (a) There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen. Suitable clean clothes for the employees serving in canteen shall also be provided and maintained.

(b) The furniture, utensils and other equipment shall be maintained in a clean and hygienic condition. A service counter if provided, shall have a top of smooth and impervious material. Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and equipment.

(c) Food and food materials shall be stored in fly proof safes and handled with the help of wooden ladles or suitable metal forceps whichever is convenient. Vessels once used shall be scalded before being used again.

(10) Food, drinks and other items served in the canteen shall be served on a no profit no loss basis.

CHAPTER IV

Working hours, leave, appeals in cases of Dismissal etc.

22. *Notice & register of periods of work.*—(1) Every employer shall exhibit in his industrial premises a notice in Form IV specifying clearly the daily hours of work, intervals for rest and weekly holiday allowed to the employees or, as the case may be, to each class of employees.

(2) Every employer shall maintain a register showing the hours actually worked including overtime in form V.

23. *Method of calculating cash equivalent of concessional sale of food-grains etc.*—(1) The cash equivalent of the advantage accruing through the concessional sale to an employee of foodgrains and other articles shall be computed at the end of every wage period fixed under the provisions of the Payment of Wages Act, 1936 (Central Act 4 of 1936).

(2) For the purposes of section 18, the cash equivalent of the advantage accruing through the concessional sale of food-grains and other articles to an employee required to work overtime shall be computed as a sum equivalent to the difference between the value of such foodgrains and other articles at the average market rates prevailing during the wage period in which the employee worked overtime and the concessional price thereof.

24. *Register of leave with wages.*—(1) The employer shall in respect of employees employed in his industrial premises keep an up-to-date register in Form VI (hereinafter referred to as the register of leave with wages (Regular Employees):

Provided that if the competent authority is of opinion that any muster roll or register maintained by the employer gives the particulars required for the enforcement of the provisions of section 26 and 27, he may by order in writing permit such muster roll or register to be treated as the register required to be maintained under this sub-rule.

(2) The employer shall in respect of the employees who are permitted to work in their houses (hereinafter referred to as the home-workers) maintain an upto-date register in Form VII (hereinafter referred to as the Register of Leave with Wages (home workers)).

25. *Leave Book.*—(1) The employer shall provide each employee (including a home-worker) with a book in Form VI or Form VII, as the case may be (hereinafter referred to as the Leave Book).

(2) The Leave Book shall be the property of the employee and the employer shall not demand it except for making entries therein and shall not keep it for more than a week at a time.

(3) If an employee loses his Leave Book, the employer shall provide him with a duplicate copy on payment of six paise.

26. *Appeals under section 31.*—(1) The appellate authority for the purposes of sub-section (2) of section 31 shall be the Regional Assistant Labour Commissioners of the area.

(2) An employee who is discharged, dismissed or retrenched may prefer an appeal under sub-section (2) of section 31 to

the appellate authority specified under sub-rule (1) within a period of thirty days from the date of communication of the order of such discharge, dismissal or retrenchment :

Provided that an appeal may be admitted after the said period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within the said period.

(3) The notice to be given by the appellate authority under clause (b) of sub-section (2) of section 31 shall—

(a) in the case of a notice to an employer, be in Form VIII; and

(b) in the case of a notice to an employee, be in Form IX, and every such notice shall be sent to the party concerned by registered post acknowledgement due.

CHAPTER—V

Miscellaneous

27. Dispute relating to issue of raw materials by the employer. - (1) Any dispute between an employer and an employee or employees in relation to—

- (a) the issue by the employer of raw materials to the employee;
- (b) the rejection by the employer of beedi or cigar or both made by an employee; or
- (c) The payment of wages for the beedi or cigar or both rejected by the employer, may be referred in writing by the employer or the employee or employees to the Regional Assistant Labour Commissioner of the area who shall, after making such enquiry as he may consider necessary and after giving the parties an opportunity to represent their respective cases decide the dispute and record the proceedings in Form X.

(2) Any party to the dispute aggrieved by the decision thereon under sub-rule (1) may prefer an appeal within a period of thirty days from the date of decision to the Joint Labour Commissioner, Rajasthan Jaipur :

Provided that the Joint Labour Commissioner may admit an appeal after the said period if the appellant satisfies such authority that he had sufficient cause for not preferring the appeal within that period.

28. Supervision of distribution of raw materials.—No employer shall, if he is required so to do by an Inspector by an order in writing, distribute, except under the supervision of the Inspector making the order or the supervision of another Inspector, raw materials to such employee or employees and during such period as may be specified in the order.

29. Limit with regard to the rejection of beedis or cigars.—

(1) No employer or contractor shall ordinarily reject as sub-standard or chhat or otherwise more than five per cent of the beedis or cigars, or both, received from a worker including a home worker.

(2) Where any beedi or cigar is rejected as sub-standard or chhat or otherwise on any ground other than the ground of wilful negligence of the worker, the worker shall be paid wages for the beedis or cigars so rejected at one half of the rate at which wages are payable to him for the beedis or cigars, or both which have not been so rejected.

30. Payment of wages to a home-worker.—Where raw materials are supplied to a home-worker at his home, the wages due to him shall also be paid at his home :

Provided that an Inspector may, if he considers it expedient so to do in the circumstances of any case, specify in respect of any home-workers any other place or places at which wages shall be paid.

31. Protection against fire.—Protection in every industrial premises the employer shall provide adequate fire-fighting equipment.

32. Returns.—The employer in respect of every industrial premises shall send to the competent authority on or before the 10th day of every month a monthly return in Form XI and furnish to that authority an annual return in Form XII on or before the 30th April of every year.

33. Maintenance of certain registers.—(1) Every employer shall, in respect of the employees employed on the industrial premises, maintain a muster roll in Form XIII, and entries therein shall be made at the commencement of the work each day.

(2) Every employer shall provide free of cost to each home-worker two books in Forms XIV (herein after referred to as the home-workers' log books) and the home worker shall keep a record of the daily work done by him, the number of beedis and cigars manufactured by him and the wages received by him in the said book and the supply of books shall be so arranged that one book remains with the home-worker at all times during the period between two successive supplies of raw materials by the employer.

(3) Every employer shall maintain home workers' employment register in Form XV containing the names and particulars of all the home-workers employed under him and the entries in the register shall be made and kept up-to-date on the basis of the entries in the home-workers' log books.

(4) Every employer shall maintain a visitor's book in which an Inspector visiting the industrial premises may record his remarks regarding any defect that may come to his notice at the time of his inspection and the employer shall produce such book whenever required so to do by the Inspector.

(5) Every employer shall maintain a register of overtime work in Form XVI.

(6) An abstract of the Act and the rules made there under shall be displayed in some conspicuous part of every industrial premises.

(7) Every register referred to in this rule shall be preserved for a period of three years from the date of the last entry noted therein and shall be readily available for inspection during working hours of the industrial premises.

34. *Record of outside work.*—The record to be maintained by the employer of the work permitted under sub-section (1) of section 29 to be carried on outside the industrial premises shall be in form XVII.

35. *Information required by Inspector.*—(1) Every employer shall furnish to an Inspector such information as the inspector may require for the purpose of satisfying himself whether any provision of the Act or of the rules made thereunder has been, or is being, duly carried out.

(2) Where any information is required by an Inspector during the course of his inspection and the required information is readily available, the employer shall forthwith furnish such information to the Inspector; and where any requisition for information is made by the Inspector at any other time, the information sought for shall be supplied by the employer within ten days from the date of receipt of the requisition.

36. *Notice to be sent by registered post.*—Every notice or order under the Act or the rules made thereunder addressed to any employer or beedi or cigar worker, shall be presumed to have been duly served if such notice has been sent by registered post.

FORM No. 1

(See rule 3 and 4)

Application for grant of renewal of licence for the financial year—

1. Full name of the industrial premises.
2. (i) Full postal address and situation of the industrial premises.
- (ii) Full address to which communications relating to the industrial premises should be sent.
- (iii) Full address of the applicant.*
3. Maximum number of employees proposed to be employed on any one day during the financial year.....

4. Full name and residential address of the person who shall be the *employer* for the purposes of the Act.
5. If the *employer* is a partnership, company, etc. full name and residential address of other partners or directors etc. (see Note 1 at the end).
6. Financial resources of the employer (e.g., particulars and value of movable and immovable properties, bank reference, income tax assessment, etc).
7. Whether the employer is a trade mark holder registered under the Trade and Merchandise Marks Act, 1958.
8. Value of beedis or cigars or both manufactured at the industrial premises during the preceding financial year.
9. Previous experience of the applicant* in the industry.
10. Whether the proposed site of the industrial premises amounts to the alteration of the site of any existing industrial premises and, if so, the reasons for such alteration.
11. Whether any industrial premises was closed by the applicant during the period of twelve months immediately preceding the date of the application and, if so, the reasons therefor.
12. Source of obtaining tobacco.
13. Whether the beedis or cigars or both manufactured by the applicant* will be sold and marked by himself or through a proprietor or a registered user of a trade mark registered under the Trade Merchandise Marks Act, 1958; or any other persons.
14. Whether the plans of the premises are enclosed.
15. Amount of fee Rs. (Rupees)
Paid in Treasury on Vide Challan No. enclosed.

(ii) Transmitted by a crossed Indian Postal Order or a Bank Draft on the Bank Drawn/Post Office in favour of the competent authority.

I hereby declare that the particulars furnished by me in the form are to the best of my knowledge and belief accurate.

Date

Signature of applicant.

Note :—Where an industrial premises are run or proposed to be run by a contractor for or on behalf of another person or persons or company, etc., the said other person or persons or company, etc., is under the Act the employer and particulars to be entered for "employer" in the Form should be in regard to such person, persons or company, etc.

*The applicant for license may however be either the contractor or the employer.

Note: (1) This Form shall be completed in ink in block letters or typed.

(2) If any person named against item 5 is a minor, the fact shall be stated clearly.

FORM No. II

(See rule 5)

Licence

Licence No.

Fee Rs.

Registration No.

Licence is hereby granted to

Valid only for the premises described below for use as an industrial premises employing not more than.....employees on any one day during the year.....subject to the conditions specified in annexure.

The licence shall remain in force till the 31st day of March . Name of industrial premises.

Permission is also granted for the installation of power driven machinery.

Date :

Signature & Seal of the competent authority.

Renewal

(Rule 4)

Date of renewal, Fees paid for renewal Date of expiry

- 1.
- 2.
- 3.
- 4.

Signature and Seal of the competent authority.

Date.

Annexure

This licence is subject to the following conditions :—

1. The manufacturing process shall be carried on only in that part of the industrial premises specified for the purpose in the licence.
2. The maximum number of employees employed in the industrial premises shall not on any day exceed the number specified in the licence.
3. Power-driven machinery not specified in the licence shall not be used in the manufacturing process in the premises.
4. Except with the prior permission in writing of the competent authority, the industrial premises shall not be extended and except with the like permission, no structural alterations shall be made in any building or such premises.
5. The licence shall not be transferable.

FORM No. III

[See rules 10(2), 14(3), 21(6) (b)]

Record of white-washing, colour-washing, varnishing and painting and cleaning.

Part of the industrial premises (e.g., name of room).	Parts white-washed, colour-washed, painted or varnished (e.g., walls, ceilings, wood work etc.)	Treatment whether white-washed, colour-washed, painted or varnished or cleaned.	Date on which white-washing, colour-washing, painting or varnishing or cleaning was carried out according to the English Calendar.	Remarks Signature of Employer
<div>(Date Month Year)</div>				

FORM No. V

[See rule 22(2)]

Register showing hours of work including overtime.

Week ending

Name of the employee.	Whether young person or not,	Total hours worked during the week.	Date on which overtime work is done and extent of such overtime on each occasion.	Extent of overtime worked during the week.
(1)	(2)	(3)	(4)	(5)

FORM No. VI

Separate page shall be allotted to each employee

[See Rule 24(1) & 25(1)]

Register of Leave with wages—(Regular Employees)

LEAVE BOOK

Adult/young person

Name
Father's name
Date of joining the establishment
Date of discharge
Date and amount of payment made in lieu of leave due.

Serial No.	Name of establishment		Leave at credit		Balance of leave from the preceding year	Leave earned during the year mentioned in column (1)
	Date of entry into service.	Wage period from to	Number of days of work performed during the calendar year	Balance of leave from the preceding year		
1		2	3	4	5	

Total of columns (4) and (5)	Leave enjoyed	Balance of leave credit	Normal rate of wages, i. e., daily average of fulltime earnings in cash		Cash equivalent of advantage accruing through concessional sale of food-grains etc.
			6	7	
			8	9	10

Rate of wages for the period total of columns (9) and (10)		Date and amount paid	Remarks
11		12	13

*Separate page shall
be allotted to each
employee.*

FORM No. VII
[See rule 24(2) and 25(1)]
Register of Leave with Wages
(Home workers)
LEAVE BOOK

1. Name of establishment.
2. Serial No.
3. Name of employee and age.
4. Father's/husband's name.
5. Date of entry into service.
6. Date of discharge.
7. Amount paid in lieu of leave.
8. Calendar year of service.
9. No. of days worked during the year.
10. Balance of leave from preceding year.
11. Leave earned during the year mentioned in column (8).
12. Total of columns (10) & (11).
13. Leave enjoyed from.....to.....
14. Balance of leave to credit.
15. Normal rate of wages. i. e. daily average of full-time earnings in cash.
16. Cash equivalent of advantage accruing through concessional sale of foodgrains, etc. if any.
17. Rate of wages for the leave period (total of column 15&16).
18. Date and amount paid.
19. Remarks.

FORM No. VIII
[See rule 26(3) (a)]

Notice to the employer under clause (b) of sub section (2) of section 31.

Shri.... has appealed to the Appellate Authority under clause (a) of sub-section (2) of section 31 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, against the orders of his discharge/dismissal/retranchment. A copy of his appeal petition is enclosed.

The appeal has been posted for hearing on the day of 1966..... ata.m./p.m. at You should appear before the Appellate Authority on that day and answer the claims. You must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon which you intend to rely in support of your defence. In default of your appearance on that day the matter will be heard and determined in your absence.

Appellate Authority

FORM No. XIII

[See rule 33(1)]

Muster roll of employees.

Name and address of the industrial premises.

Date.....

S. No.	Name	Designation	Group	Relay	Shift number	Period of work	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM No. XIV

[See rule 33(3)]

Home-workers Log Book.

1. Name of the home worker
2. Address of the home where manufacturing process is carried on
3. Month :

Account of the work done at homes.

Date	Whether work was done	No. of beedis/cigars manufactured	Wages received
(1)	(2)	(3)	(4)

1. Total number of days worked in the month.

Date and signature or thumb impression of the home worker.

FORM No. XV

[See rule 33(3)]

Home worker's Employment Register.

Month ending.....

(Beedis Manufactured should be shown in respect of each home worker below the appropriate date.)

Name of worker	Address of Home	Wages paid									
		1	2	3	4	5	6	7	8	9	10

Dates

11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
28	29	30														

FORM No. XVI

[See rule 33 (5)]

Register of overtime work.

Month ending..... 19

Name	Designation	Date on which overtime has been worked	Extent of overtime	Total overtime worked or production in case of piece worker	Normal hours
(1)	(2)	(3)	(4)	(5)	(6)

Normal rate of pay	Overtime rate of pay	Normal earning	Overtime earnings	Cash equivalent of advantage accruing through the concessional sale of foodgrains etc.	Total earn ings	Date on with overtime payment made.
(7)	(8)	(9)	(10)	(11)	(12)	(13)

FORM No. XVII

[See rule 34]

Record of outside work

Number and date of Government's Order permitting work
outside the industrial premises

Date	Place or places where outside work was , permitted	Nature of work	Name of employee	Remarks.
(1)	(2)	(3)	(4)	(6)

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 7-3-69—Page 1168 (1)]

**BEEDI & CIGAR WORKERS (CONDITIONS OF
EMPLOYMENT) ACT, 1966.**

(Central Act 32 of 1966)

Labour & Employment Department

Notification S. O. 46, dated March 19, 1969.—In exercise of the powers conferred by sub-section (3) of section 1 of the Beedi & Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966), the State Government hereby appoints the 19th March, 1969 as the date when section 3 of the said Act, shall come into force in the State of Rajasthan.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 19-3-69 — Page 1190]

Notification S. O. 45, date May, 31 1969.—In exercise of the powers conferred by sub-section (1) of section 28 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966), the State Government hereby directs that the provisions of the Payment of Wages Act, 1936 (Central Act 4 of 1936), and the rules made thereunder shall apply to all classes of employees in establishments to which the former Act, namely, Central Act 32 of 1966, applies.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 31-5-69—Page 80]

Rules and Notifications under

BOILERS ACT, 1923.
(CENTRAL ACT No. 5 OF 1923).

INDIAN BOILERS ACT, 1923

Labour & Employment Department

Notification No. F. 1 (11) (17) L & E/67, dated October 28, 1967.—Whereas the State Government is satisfied that having regard to the material design and construction of the Waste Heat Boiler (LAMONT) installed at the Zinc Smelter, Debari and to the need for the rapid industrialisation of the country, it is necessary so to do.

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 34 of the Indian Boilers Act, 1923 (Central Act 5 of 1923), the State Government hereby excludes the Waste Heat Boiler (LAMONT) installed at the Zinc Smelter of M/s Hindustan Zinc Ltd. at Debari near Udaipur from the operation of all the provisions of the said Act for a period of 6 months subject to the condition that before commissioning it, the boiler shall be offered for necessary inspection and test by the Chief Inspector of Factories and Boilers, Rajasthan or an Inspector nominated by him in this behalf, for which requisite fee will be paid by M/s Hindustan Zinc Ltd, and further that the boiler shall be operated in accordance with the instructions, if any, issued by the Chief Inspector or his nominee.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 28-10-67-Page 663]

Rajasthan Boilers (Amendment) Rules, 1969.

Labour & Employment Department

Notification G. S. R., dated June 23, 1969.—In exercise of the powers conferred by section 29 of the Indian Boilers Act, 1923 (Central Act 5 of 1923), the State Government hereby makes the following rules further to amend the Rajasthan Boilers Rules, 1954 the same having been previously published as required by sub-section (1) of section 31 of the said Act, namely:—

1. *Short title.*—These rules may be called the Rajasthan Boilers (Amendment) Rules, 1969.

2. *Amendment of rule 3.*—In rule 3 of the Rajasthan Boilers Rules, 1954, for the figures and words “XXXII Miscellaneous Social Service Organisations (c) fees for the inspection of Steam Boilers” the following figures and words shall be substituted, namely:—

“XXXII-Miscellaneous, Social and Development Organisation.

(a) Labour and Employment.

(b) Fee for inspection of Steam Boilers.”

[Pub. in Raj Gaz. Ex. 4 (Ga) (I)—Dt. 10-7-69 page 114]

RAJASTHAN BOILER ATTENDANT'S RULES, 1954.

Labour Department

Notification S. O. 35, dated May 14, 1969.—Whereas one of the member on the Board of Examiners constituted under this department Notification No. F. 1 (11) (6)/L&E/66 dated the 9th December, 1966, namely Shri S. V. Maheshwari has left the State of Rajasthan;

Now, therefore, in exercise of the powers conferred by Rule 8 of the Rajasthan Boiler Attendant's Rules, 1954 read with Rule 9 of the said Rules, the State Government hereby appoints Shri V. S. Dubey, Chief Engineer, Poddar Mills, Jaipur as a member on the said Board for the remaining period of the term of the above constituted Board.

[Pub. in. Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 14-5-69]

RAJASTHAN BOILER ATTENDANTS' RULES, 1954

Labour & Employment Department

Notification S. O. 25. dated May 6, 1970.--Whereas the term of the members other than ex---Officio members of the Board of Examiners appointed under this department notifications of even number dated the 9th December, 1966 and the 14th May, 1969 has expired on the 8th December, 1969 and it is necessary to appoint such members afresh.

Now, therefore, in exercise of the powers conferred by rule 8 of the Rajasthan Boiler Attendants' Rules, 1954. the State Government hereby appoints the following persons to be members (other than ex officio members) of the said Board for a period of three years with immediate effect, namely:—

1. Shri S. K. Chopra, Senior Mechanical Engineer, J. K. Synthetics Limited, Kota.

2. Shri Satya Prakash Gupta, Chief Engineer, The Associated Company Limited, Lakheri.

3. Shri Brahma Dutta Shukla, Chief Engineer, Ganganagar Sugar Mills Limited, Sri Ganganagar.

4. Shri Ramesh Chandra Sethi, Head of Mechanical Engineering Department, Government Polytechnic, Bikaner.

5. Shri N. C. Brahma, Power House Superintendent, Shriram Chemical Industries, Kota.

6. Shri V. S. Dubey, Chief Engineer, Poddar Spinning Mills, Jaipur.

[Pub. in Raj. Gaz. Ex. 4(Ga) (II)-Dt.6-5-70-Page 58]

Rules and Notifications under

CIVIL COURTS ORDINANCE 1950, THE RAJASTHAN
(7 OF 1950)

CIVIL COURTS ORDINANCE, 1950

Law And Judicial Department

Notification S. O. 210, dt. December 17, 1969.—In exercise of the powers conferred by subsection (1) of section 7 of the Raj. Civil Courts Ordinance, 1950 (Ordinance 7 of 1950) read with sub-section (1) of section 12 and 16 thereof, the State Government hereby creates with effect from the 1st day of January, 1970, the following courts of Munsiffs with head quarters at the places and with jurisdiction extending over the areas specified against them namely:—

S. No.	Name of the court	Place of head-quarters	Extent of Jurisdiction
1.	Munsiff Dungarpur	Dungarpur	Dungarpur, Aspur and Kherwara
2.	Munsiff, Nagaur	Nagaur	Nagaur sub-Division.

[Pub. in. Raj. Gaz. Ex. 4 (Ga) (II), dt. 25.12.69. P.368]

Notification S O. 215, dated December 17, 1969.—In exercise of the powers conferred by sub-section (1) of section 7 read with sub-section (1) of section 12 and sub-section (1) of section 16 of Rajasthan Civil Courts Ordinance, 1950 (Ordinance 7 of 1950), the State Govt. hereby creates with effect, from 1st January, 1970, the following court of Civil Judge with head-quarters at the place and territorieal limits of jurisciction as mentioned agaist it:—

Name of the Court	Head quarters	Territorial limits of jurisdiction.
Civil Judge, Churu	Churu	Churu District excluding Ratangarh Sub-division.

[Published in Raj. Gaz. Ex. 4 (Ga) (II). dt. 25.12.69 P. 369.]

Rules and Notifications under

COLONISATION ACT, 1954. THE RAJASTHAN
(27 OF 1954).

Rajasthan Colonisation (Bhakra Project Government Lands Allotment & Sale) Rules, 1955.

No. F. 22 (30) Rev./Col/65, dated January 19, 1968.—In exercise of the powers conferred by Section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby makes the following amendments to the Rajasthan Colonisation (Bhakra Project Government Lands Allotment and Sale) Rules, 1955, namely :—

AMENDMENTS

After clause (b) of Rule 22 of the Rajasthan Colonisation Bhakra Project Government Lands Allotment and Sale) Rules, 1955, the following provisos shall be added :—

“Provided that small patch of 3 acres or less shall be allotted to a tenant of contiguous field or holding by charging 10% over and above the reserved price, but if there are more than one claimants for such small patch, it will be given to the highest bidder by inviting auction amongst such claimants having contiguous field or holding thereto :

Provided further that the conditions laid down in sub-clause (ii) of clause (b) hereunder shall not be applicable in such cases.”

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 15-2-68—Page 1053]

REVENUE (COLONISATION) DEPARTMENT

Notification No. F. 22 (30) Rev/Col/65, dated June 24, 1968.—

In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby makes the following further amendments to the Rajasthan Colonisation (Bhakara Project Government Lands Allotment and Sale) Rules, 1955, namely :—

AMENDMENTS

In this said rules :—

1. After rule 17, the following rule shall be added namely :—

17A. Allotment of small patches:—

(1) Notwithstanding anything to the contrary in these rules, the small patches of less than 10 bighas of Government land may be allotted, at the highest prevalent market price obtained for similar class of land in the area, to a tenant holding and in continuous

possession for the last five years of a Khatedari land just adjoining to such small patch so that the total holding in his name or in the name of any member of his family may be 15 bighas, and such price shall be recoverable in two equal instalments if the size of the patch is more than 5 bighas and in one instalment if it is less than 5 bighas.

- (2) After providing for completion of 15 bighas Khatas or holdings under sub-rule (1) and subject to the ceiling limit prescribed under any law for the time being in force, the remaining small patches may be allotted to a tenant having a contiguous field or holdings by charging the highest prevalent market price obtained for similar class of land in the area, and if there are more than one contiguous fields or holding to such small patch, it will be sold to the highest bidder in an auction amongst such tenants having contiguous field or holding thereto over and above such highest prevalent market price which shall be the reserved price in such auction and the price of the land allotted or auctioned under this sub-rule will be recoverable in one instalment :

Provided that the conditions laid down in sub-clause (ii) of clause (d) of rule 22 shall not be applicable in a sale by auction under this sub-rule.

2. Both the provisions under clause (b) of rule 22 shall be deleted.

[Pub. in Raj. (Gaz. 4 Ga) Dt. 31-10-68 Page 299]

REVENUE COLONISATION DEPARTMENT

Notification No. F. 22 (6) Rev/Col/65, dated October 31, 1967.—In exercise of the powers conferred by section 28 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the State Government hereby makes the following amendments in the Rajasthan Colonisation (Bhakra Project Government Land Allotment and Sale) Rules, 1955, namely :—

AMENDMENTS

1. In the said rules :—

(i) in rule 6 after the figure “6”, the following marginal heading shall be added.—

“Public Notice by Allotting Authority.”

(ii) in rule 7, after the figure “7” the following marginal heading shall be added.—

“Application for allotment of land.—”

(iii) in rule 10, after the figure “10”, the following marginal heading shall be added.—

“Status of joint family.—”

(iv) in rule 10-A after the figure and letter “10-A” the following marginal heading shall be added.—”

“Status of Co-partner.—”

(v) in rule 11, after the figure “11”, the following marginal heading shall be added.—

“Computation of areas —”

(vi) in rule 12 after the figure “12” the following marginal heading shall be added.—

“Principles to be followed in making allotment.—”

(vii) in rule 15, after the figure “15”, the following marginal heading shall be added.—

“Allotments to landless Displaced persons.—”

(viii) in rule 16-A (a), after the figure and letter “16-A (a)”, the following marginal heading shall be added.—

“Exception.—”

(ix) in rule 16-B, after the figure and letter “16 B” the following marginal heading shall be added.—

“Allotment of land on the death of a tenant who held a temporary cultivation lease.—”

(x) in rule 16-C, after the figure and latter “16-C” the following marginal heading shall be added.—

“Partitions and alientations effected after 1-12-1951.—”

[Pub. in Raj-Gaz. 4 (Ga) Dt. 23-11-68 Page 841]

Rajasthan Colonisation (Chambal Project Government Land Allotment & Sale) Rules, 1957

REVENUE (COLONISATION) DEPARTMENT

Notification No. F. 22 (30) Rev/Col/ 66, dated July 18, 1968.

In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. 27 of 1954), the State Government hereby makes the following amendments in the Rajasthan Colonisation (Chambal Project Government Land Allotment and Sale) Rules, 1957, namely :—

AMENDMENTS

Rule 16 of the said rules shall be substituted by the following :—

“16. *Scales of prices to be charged for different classes of Govt. Land.*—The following shall be the scales of prices which may be charged for different classes of Government lands allotted under these rules :—

S. No.	Classes of land	Price per Bigha
1. Irrigated	Mal I	325/-
	Mal II & III	225/-
	Mal IV	125/-
2. Unirrigated	Mal I	125/-
	Mal II & III	100/-
	Mal IV	50/-

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 1-8-68—Page 166].

REVENUE (COLONISATION) DEPARTMENT

Notification No. F. 22 (30) Rev./Col./65, dated January 19,

1968.—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby makes the following amendments to the Rajasthan Colonisation (Chambal Project Government Lands Allotment and Sale) Rules, 1957, namely :—

AMENDMENTS

After clause (b) of Rule 22 of the Rajasthan Colonisation (Chambal Project Government Lands Allotment and Sale) Rules, 1957, the following provisos shall be added :—

“Provided that small patch of 2 acres or less shall be allotted to a tenant of contiguous field or holding by charging

10% over and above the reserved price, but if there are more than one claimants for such small patch, it will be given to the highest bidder by inviting auction amongst such claimants having contiguous field or holding thereto :

Provided further that the conditions laid down in sub-clause (ii) of clause (b) hereunder shall not be applicable in such cases."

[Pub. in Raj. Gaz. 4 (Ga) Dt. 15-2-68—Page 1053]

RAJASTHAN COLONISATION (GENERAL COLONY) CONDITIONS, 1955

REVENUE (COLONISATION) DEPARTMENT

Notification No. F. 22 (30) Rev./Col/65, dated January 19, 1968—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby makes the following amendments to the Rajasthan Colonisation (General Colony) Conditions, 1955, namely:—

AMENDMENTS

After clause 2 of Condition No. 20 of the Rajasthan Colonisation (General Colony) Conditions, 1955, the following provisos shall be added:—

“Provided that all kinds of new allottees like ex-jagirdars, Landless tenants, ex-soldiers, muslim evictees, gram panchayats, disabled ex-servicemen and dependent of deceased defence personnel, political sufferers, gallantry award holders, declared landless tenants of Bhakra (Punjab), displaced agriculturists or oustees, Gadoliya Lohars and all other special categories of allottees, who have been allotted or are to be allotted land in Colony on a price fixed by the State Government, shall be bound to occupy and cultivate the whole of the allotted land within 2 years of the date of handing over possession. If the land is not cultivated within 2 years, the allottee shall be served with a notice to bring the land under cultivation and even then if the land is not cultivated personally before the end of the third year by him to the satisfaction of the Collector, the allotment shall be cancelled by the allotting authority and the land shall stand resumed to the State without payment of any compensation.

Provided further that the allotment so cancelled shall be restored if the allottee comes forward and undertakes that he will cultivate the land after restoration”

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 15-2-68—Page 1061]

RAJASTHAN COLONISATION (GRANT OF LAND FOR RESIDENCE IN CHAK ABADI) RULES, 1959.

REVENUE (COLONISATION) DEPARTMENT

Notification No. F. 3 (27) Rev./Col/64, dated December 5, 1967.—In exercise of the powers conferred by section 28 read with sub-section (1) of section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954) the State Government hereby makes the following amendment in the Rajasthan Colonisation (Grant of Land for Residence in Chak Abadi) Rules, 1959, namely :—

AMENDMENT

Below rule 13 of the Rajasthan Colonisation (Grant of Land for Residence in Chak Abadi) Rules, 1959, the following proviso shall be added :—

“Provided that the fixed price of residential plots in a Chak Abadi lying within a radius of three miles of any class I. II & III Mandis will be Rs. 1.00 per square yard, 60 paise per spare yard and 30 paise per square yard respectively.”

[Pub. in Raj. Gaz. 4 (Ga)--Dt. 25-1-68-Page 1021]

(v) "Government land" means and includes all lands belonging to or vesting in the State Government except those in which Khatedari rights have been acquired by or conferred upon any person under the provisions of any law for the time being in force.

(vi) "Gram Panchayat" and "Panchayat Samiti" will respectively have the same meaning as is assigned to their expressions by the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953) and the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Act No. 37 of 1959) and which forms part of a colony to which these rules apply.

(vii) "Medium and Minor Irrigation Projects" means all irrigation projects excluding Gang Canal Chambal, Jawai, Rajasthan Canal and Bhakra and such other projects as may be excluded from time to time by the State Government by notification published in the Official Gazette from the purview of these rules.

(viii) "Advisory Committee" means a committee formed under Rule 13.

(ix) Words and expressions defined in the Rajasthan Tenancy Act, 1955 (Act No. III of 1955) shall, wherever used herein, be construed to have the meanings assigned to them by the said Act.

4. *Application of General Colony Conditions.*—The Rajasthan Colonisation (General Colony) Conditions, 1955, issued under sub-section (2) of Section 7 of the Act shall *mutatis mutandis*, apply to all allotments of land made under these rules.

5. *Persons Eligible to Allotment of Government Land.*—The persons eligible to allotment of Government lands under these rules shall be—

- (a) landless tenants including landless tenants belonging to Scheduled Castes and Scheduled Tribes;
- (b) displaced agriculturists;
- (c) Panchayat and Panchayat Samitis;

6. *Reservation.*—Out of the Government lands in medium and minor project area, land up to 25% shall be reserved for allotment at reserve price to:—

(i) Panchayat Samitis and Panchayats.

(ii) Members of Scheduled Castes and Scheduled Tribes. The remaining land shall be disposed off by allotment to displaced agriculturists and landless persons but the State Government may reserve any area in any medium or minor irrigation project for a auction.

7. *Persons not Eligible to Allotment of Government Land.*—(1) No allotment of Government land shall be made to any displaced agriculturist or person even though his land may have

been acquired in connection with the project if his total holding after such acquisition exceeds the ceiling limit fixed by any law for the time being in force.

(2) The claims of such persons for compensation may be settled by cash payment.

8. *Terms of Allotment.*—(1) No person shall be entitled as of right to allotment of Government land under these rules or to the acquisition of tenancy rights.

(2) Subject to the terms and conditions specified in the Rajasthan Colonisation (General Colony) Conditions 1955, or allotments of Government land under these rules shall be on a permanent basis, the allottees being eligible to the conferment of Khatedari rights unless otherwise stated. All allotments so made shall be subject to the special terms and conditions, if any, further imposed by the Government.

9. *Lands not Available for Allotment under these Rules.*—The commanded lands falling within the Municipal limits of any town or city shall not be disposed off under these rules.

10. *Priorities in allotment.*—(1) Except in cases falling under Rules 6, the following order of priority shall be observed in the allotment of Government land under these rules.

(i) displaced agriculturists;

(ii) landless persons;

(2) Allotment to persons under category (ii) above shall be made in the following preference:—

(i) landless of the same village;

(ii) landless of the same tehsil;

(iii) landless of the same tehsil;

11. *Procedure for Allotment.*—(1) The allotting authority shall before taking up the allotment in any particular area issue under its signatures a public notice in Form I inviting applications for allotment from displaced agriculturists and landless tenants within a time fixed therein.

(2) Copies of the said public notice shall be affixed on the notice board of the office of the allotting Authority and office of the Tehsil concerned, and in a conspicuous place in the village concerned and the same shall also be proclaimed by beat of drum in the village in or villages which land to be allotted are situated.

(12) *Application for Allotment.*—(1) Within one month from the date of publication of the public notice under sub-rule (1) of Rule 11, any person eligible to allotment of Government land on permanent basis under these rules, may submit to the Tehsildar of his area an application in writing in Form II for such allotment.

(2) The Tehsildar shall, on receipt of an application for allotment:—

(a) immediately register it in a register to be maintained in the Tehsil in Form III and issue to the applicant a receipt in Form IV; and

(b) scrutinize these applications and verify the particulars mentioned in the application with reference to relevant entries in the land records and may also conduct such enquiry as may be necessary as regards the rights and eligibility of the applicant for allotment under these rules.

(3) The Tehsildar shall submit within 2 months from the receipt thereof, all applications with his report on each of them to the allotting authority.

(4) On grant of the applications, the Allotting Authority shall issue an allotment order to the applicant and will deliver possession of the land allotted to him.

(5) Applications received after due date or made by persons who are not eligible to allotment under these rules shall be rejected.

13. *Allotments to be in Consultation with the Advisory Committee.*—(1) All allotments shall be made by the Allotting Authority in consultation with an Advisory Committee consisting of:—

- (a) the member of the Rajasthan Legislative Assembly in whose constituency the land is situated;
- (b) the Pradhan of the Panchayat Samiti in whose Jurisdiction the land is situated or a nominee of such Samiti;
- (c) the Sarpanch of the Gram Panchayat in whose Jurisdiction the land is situated; and
- (d) a representative of the Schedule Castes or Scheduled Tribes as may be nominated by the Government if there is no representation of the said castes or tribes in the Advisory Committee.

(2) The Allotting Authority shall give to the member of the Advisory Committee at least 15 days notice of the date of meeting :

Provided that if any member of the Advisory Committee fails to attend on the date fixed despite service of notice, the allotting Authority shall carry on the work of allotment in consultation with such of the members as attend the meeting.

Explanation—The notice of the date of meeting shall be served in the manner, prescribed in the Revenue Courts Manual for the service of summons of notices:

Provided that if the service is not possible in the aforesaid manner, the notice shall be sent under a postal certificate or by registered post.

(3) The Allotting Authority and the members of the Advisory Committee shall meet at the Headquarters of the Allotting Authority or at any other place as may be decided by the Allotting Authority.

(4) The minutes of the meeting of the Advisory Committee shall be recorded by the allotting Authority and signed by the members present and if there is a difference of opinion the opinion of each member attending the meeting shall be recorded. In case of difference of opinion between the members of the Advisory Committee and the Allotting Authority, the latter shall record his reasons and pass final orders rejecting or granting the application for allotment.

14. *Allotment to displaced Agriculturists.*—(1) So far as possible, land of the same quality and value as may have been acquired from a particular displaced agriculturist shall be allotted to him.

(2) Any claims remaining unsatisfied due to paucity of land may be satisfied by payment of cash compensation.

15. *Rule of computation and allotment.*—(1) For purpose of computation of area, 1 bigha of irrigated land shall be deemed to be equal to 3 bighas of Barani or Culturable follow land.

(2) A joint family shall, for purposes of existing holding or for allotment of land under these rules, be deemed to one person and dealt with accordingly.

(3) When a Khata is held by two or more persons as co-tenants, for purpose of computing the area held by each co-tenant or the area to the allotment of which each of them is eligible, each co-tenant shall be deemed to be in possession only of so much area of the joint Khata as falls to his share.

(4) While making allotment, as far as may be possible, compact blocks shall be assigned to each allottee.

16. *Scale of allotment:*—The following shall be the scale of allotment :—

(i) Landless persons and members of Scheduled Castes and Scheduled Tribes —10 acres of commanded land.

(ii) *Panchayat Samiti:*—upto 50 acres commanded land for the establishment of a seed multiplication farm, or for general agricultural development subject to the conditions that the panchayat Samiti shall pay the reserve price regularly and pay the other dues and shall use the land for the purposes for which it is allotted.

(iii) *panchayat*—upto 10 acres commanded land for the purpose of agricultural production subject to the condition that the Panchayat shall pay the reserve price regularly and pay the other dues and shall not use the land for any other purpose and shall not alienate it in any manner.

17. *Fixation of Scales of reserved prices.*—The State Government shall fix the scales of reserve prices which may be charged for Government lands allotted under these rules. Such prices may be different for different areas and different classes of land. The price fixed shall be realised in 10 equal half yearly instalments.

18. *Power of Government to allot Lands.*—Nothing contained in these rules shall, at any time and in any manner, limit the powers of the Government in the Colonisation Department to dispose of any Government land in any manner it deems fit.

19. *Disposal of Government Land by Auction.*—The State Government may, instead of disposing of all available Government land by allotment, order that the whole or a certain proportion thereof to be specified by it, shall be sold by public auction in which event the provisions contained in Rules 20 and 22 of the Rajasthan Colonisation (Bhakra Project Government Lands Allotment and Sale) Rules, 1955, shall, mutatis mutandis apply to such sales by auction.

FORM 1

[See Rule 11 (i)]

Public Notice

Whereas Bighas of Government Lands situated in village of Tehsil is available for allotment for agricultural purposes under the Rajasthan Colonisation (Medium and Minor Irrigation projects Government Lands Allotment) Rules, 1968, this public notice is hereby issued under Rule 11 (i) of the said rules and all concerned are hereby informed that any person who wishes to apply for allotment of any of the lands available for allotment should apply to the Tehsildar concerned within one month of the publication of this notice in the prescribed form. The list of the lands available for the allotment may be seen at the Tehsil Office during office hours on any working day between the date of this public notice and the date of expiry of the period for submission of application.

Issued under my hand and the seal of this office.....
..... day of.....

Signature and Designation of allotting Authority.

FORM II

[See Rule 12 (i)]

Application for Allotment of Land.

To,
The Tehsildar,
Tehsil....
District.....

Sub :—Application for allotment of land under the Rajasthan Colonisation (Medium and Minor Irrigation Projects, Government Lands Allotment) Rules, 1968.

Sir,

ISon of Caste.....
 OccupationPermanent resident of
 TehsilDistrict.....hereby state as
 under :—

%Particulars to be stated.

(1) that I am a displaced agriculturist within the meaning of clause (iv) of rule 2 of the above rules, my lands, particulars whereof are given on the margin %, having been acquired for the construction.

of....project

 of its canals.

 of....other works.

that I am a land holder whose lands, particulars whereof are given on the margin %, have been sub-merged in.....reservior constructed onproject or acquired for the construction of canals etc,

OR

that I am a landless tenant;

OR

that I am a member of the Schedule Caste/Schedule Tribe and my caste is

OR

that the applicant is a Panchayat Samiti/Panchayat.....
that I hold the under mentioned lands. (2).....
I do not hold any land.

Name of village	Name of the Tehsil with name of District.	Khasra Area Number	Soil Class
			Nahri (irrigated from canals) Chahi (irrigated by wells situated in Khasra No.....) Talabi (irrigated from tank).

Tankbed
Dehri,
Sailabi
Barani,
Banjor. -

(3) that I owncattle..... ploughs.

2. , therefore, hereby request that I may be allotted the undermentioned lands for cultivation :—

Particulars of Land to be given :—

Name of village with name of Tehsil and District.	Khasra number.	Area	Soil Class.
---	----------------	------	-------------

3. I, hereby agree to abide by the provisions of (1) the Rajasthan Colonisation Act, 1954; (2) the Rajasthan Colonisation (General Colony) Condition, 1955 and (3) these rules.

4. I further undertake to pay the price of the land as fixed by the Government.

Yours faithfully

.....
(Signature)

Witness.

I .. Son of... .. Caste..... resident of verify that the statements made in the above application are correct to the best of my knowledge.

.....
(Signature)

FORM III

[See rule 12 (2) (a)]

Register of Applications for Allotment

Name of Tehsil..... District

Sl. No.	Date	Time	Name of the applicant	Address	Kind of allotment claimed	Re-marks
1	2	3	4	5	6	7

FROM IV

[See Rule 12 (2) (a)]

Acknowledgement of receipt of Application

Received application of Shri..... Son of Shri..... resident of village/town..... Tehsil..... District..... for allotment of land under Rule 12 (1) of the Rajasthan Colonisation (Medium and Minor Irrigation Project Government Lands Allotment) Rules, 1968, on..... at..... A. M / P. M. and registered at Serial No.....

Tehsildar

Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment & Sale) Rules, 1967.

Revenue (Colonisation) Department

Notification No. F. 22(54) Rev/Col/64 Part II, dated December 16, 1967.—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government is pleased to make the following rules, namely :—

Preliminary

1. *Short title, extent and commencement.*—(1) The rules may be called the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and sale) Rules, 1967.

(2) They extend to the whole of the command and un-command area of the Rajasthan Canal consisting of villages to which the Rajasthan Colonisation Act, 1954 (Act No. XXVII of 1954) has been applied by the State Government under clause (ii) of section 2 of the said Act and will extend to such other areas to which the said Act may hereafter be applied from time to time.

(3) They shall come into force on the date of their publication in the Rajasthan Rajpatra.

2. *Interpretation.*—In these rules unless there is anything repugnant in the subject or context:—

(i) “Act” means the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954)

(ii) “Allotting Authority” means the Collector as defined in section 2 (i) of the Act.

(iii) “Colonisation Commissioner” means an officer appointed by the State Government to exercise the powers and to perform the functions of the Colonisation Commissioner.

(iv) “Assistant Colonisation Commissioner” means an officer appointed by the State Government as such or a Sub-Divisional Officer of the Revenue Department where the Colonisation work is not operated by the Colonisation Department of the State Government.

(v) “Colony Tehsildar” means an officer appointed by the State Government as such or a Tehsildar appointed under sub-clause (ii) of clause (a) of section 20 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) where the Colonisation work is not operated by the Colonisation Department of the State Government.

(vi) "Colony Naib Tehsildar" means an officer appointed by the State Government as such or a Naib Tehsildar appointed under sub-clause (ii) of clause (c) of section 20 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) where the Colonisation work is not operated by the Colonisation Department of the State Government.

(vii) "Command Land" means land shown as such by the Irrigation Department of the State Government in their commands and statements with reference to the Rajasthan Canal Irrigation Project.

(viii) "Government Land" means and includes all lands belonging to or vesting in the State Government except those in which Khatedari rights have been acquired by or conferred upon any person under the provisions of any law for the time being in force.

(ix) "Landless tenant" means a bonafide agriculturist by profession who is resident of Rajasthan since before the 1st April 1955, and who cultivates or can reasonably be expected to cultivate land personally but who does not hold any land, whether in his own name or in the name of any member of his joint family, anywhere, and who is not a sub-tenant of any land-owner or land-holder holding tenure khata under proprietary, Mourusi, or Khatedari rights and is not liable to ejectment under the provisions of the Rajasthan Tenancy Act, 1955, or under any other law for the time being in force in the area in which the land is situate or who holds only a fragment.

(x) "Resident of Rajasthan" means a person who has been continuously residing in Rajasthan since before 1st April, 1955 and who is certified as such by an officer of the Colonisation Department not below the rank of Assistant Colonisation Commissioner having jurisdiction in the area on the basis of evidence to be recorded by him.

(xi) "Tenure land", "Tenure Khata" and "Tenure Tenant" respectively mean land held, under proprietary, mourusi and Khatedari rights, khatas comprised of such land, and person holding such land under all or any of the aforesaid tenures.

(xii) "Bhakra landless" means landless tenant as defined in sub-rule (vi) of rule 2 of the Rajasthan Colonisation (Bhakra Project Government Lands Allotment and Sale) Rules 1955 who was eligible to allotment of land under the said rules, but who could not be allotted land in Bhakra Project Area.

(xiii) "Economic Holding" means the optimum size of 15.625 acres of command land adopted by the State Government for Rajasthan Canal Project Area.

(xiv) "Garm Panchayat" and "Panchayat Samiti" will respectively have the same meaning as is assigned to these expressions by the Rajasthan Panchayat Act, 1953 (Act No. 21 of 1953) and the Rajasthan Panchayat Samitis and Zila Parishad Act, 1959 (Act No. 37 of 1959) and which forms part of the Colony to which these rules apply.

3. Powers of colonisation officer.—The Colonisation Commissioner, Assistant Colonisation Commissioner, Colony Tehsildar and Colony Naib Tehsildar, will exercise the powers conferred and perform the functions imposed on them by these rules and such other powers with which they may be invested under section 6 of the Act.

4. Application of general colony condition.—The Rajasthan Colonisation (General Colony) Conditions, 1955 issued under sub-section (2) of section 7 of the Act, shall apply to all allotments and sales of land made under these rules.

5. Preparation of list of Government Lands.—(1) The allotting authority shall prepare a village-wise/Chack-wise list of all Government lands in Form I.

(2) He shall then divide the land into following classes:—

(a) Command.

(b) Uncommand.

(c) Ghair Mumkin.

6. Reservation.—(1) The State Government may reserve land in any irrigation system for all or any of the following purposes

(i) Central or State Government mechanised farms.

(ii) Farms to be established by the Agriculture Department.

(iii) Cattle Breeding Farms to be established by the Animal Husbandry Department.

(iv) Re-settlement of Disabled service personnel and Dependents of Deceased defence Personnel killed in action in NEFA and Ladakh, Rann of Kutch Pakistan hostilities in Punjab, Rajasthan, Jammu and Kashmir and Gallantry award holders.

(v) Resettlement of ex-jagirdars and Bhakra landless tenants.

(vi) Allotment to Landless tenant of Sechedule Caste, Schedule Tribes and other landless tenants.

(2) The allotting authority may reserve Government lands required for:—

(i) Village abadis, Johars, tanks or other public purpose and

(ii) allotment for Panchayat Samitis of the colony, and Soil Conservation, Schemes of the Rajasthan Government.

of the tehsil concerned and in a conspicuous place in the village concerned and they shall also be proclaimed by beat of drum in the village or villages in which lands to be allotted are situate.

12. Application for Allotment of land and their Disposal.—(1) Within two months from the date of publication of the public notice under sub-rule (2) of rule 11, any person, eligible to allotment of Government land on permanent basis under these rules, may submit to the Colony Tehsildar of the area an application in writing in Form III for such allotment.

(2) The Colony Tehsildar shall, on receipt of an application for allotment:—

- (a) immediately register it in a register to be maintained in the Tehsil in Form IV and issue to the applicant a receipt in Form V, and,
- (b) scrutinise these applications and verify the particulars mentioned in the application with reference to relevant entries in the land records and may also conduct such enquiry as may be necessary as regard the rights and eligibility of the applicant for allotment under these rules.

(3) The Colony Tehsildar shall submit within three months from the receipt thereof, all applications with his report on each of them to the allotting authority though the Assistant Colonisation Commissioner of the area or thorough such other officer as the Government or the Colonisation Commissioner may, with the previous sanction of the Government, from time to time appoint in this behalf.

(4) The Assistant Colonisation Commissioner or such other officer as may be appointed under sub-rule (3) shall, before transmitting the applications to the allotting authority, endorse his own recommendations on each of them about the rejection or grant together with brief reasons therefor.

(5) The allotting authority shall then consider each of the applications and may, for reasons to be recorded, either reject or grant the same.

(6) Applications received after due date or made by persons who are not eligible to allotment under these rules shall be rejected.

13. Disclosure of Information by the persons applying for Allotment.—(i) A person applying for allotment of Government land shall be required to file with his application an affidavit duly certified by a Magistrate or an Oath Commissioner appointed by the Board of Revenue giving true information therein on the following points :—

- (a) permanent place of his residence and the place where he ordinarily resides and earns his livelihood specifying the name of the Village, Tehsil, District and State;
- (b) whether he is a landless tenant or whether he or any member of his joint family has in his name a tenure khata of land held under proprietary, mourusi or khat-dari rights in the village or at any other place. In the latter case, class of land i. e. irrigated or barani, its area, tenure, and location shall be specified in detail; and
- (c) such other information as contained in the application in Form III.

(ii) A person claiming allotment of Government land on the strength of any special lease granted to him in the past such as "Grow More Food Campaign" shall furnish full details of his lease claim together with certified copies of documents, if any, supporting his claim.

14. Persons eligible to Allotment of Government Lands.—The persons eligible to allotment of Government lands under these rules shall be.—

- (a) landless tenants including landless tenants belonging to Scheduled Castes and Scheduled Tribes,
- (b) Bhakra landless tenants, and
- (c) Panchayat Samitis,

15. Priorities for Allotment.—(a) The priorities for allotment to the landless tenants shall be in the following order :—

- (1) Landless of the same village.
- (2) Landless of the same Tehsil.
- (3) Landless of the same District.
- (4) Landless of the contiguous districts or districts of Rajasthan.
- (5) Landless of other districts of Rajasthan :

Provided that from amongst persons of the same category the one residing in that area from an earlier date shall have preference over a person residing from a later date.

(b) Priorities for allotment amongst tenants belonging to the same category shall be first come first served:

Provided that if more than one applicant has applied for allotment of the same plot on the same day, allotment shall be made by drawing lots.

Explanation.—Where there are more than one applicants of the same class for a small piece of land measuring 3 acres or less, it shall be allotted by auction to the highest bidder from

amongst all such applicants of land contiguous to such small patch. The auction shall be for the premium to be paid over and above the price and the premium will be liable to be paid in cash immediately after the auction bid is sanctioned in favour of the bidder. No person will be allowed to bid unless he has deposited Rs. 5/- (Rupees five) only per bigha, as earnest money.

16. *Allotment to Joint Families.*—A joint family shall, for the purposes of existing holdings and of allotment of land under these Rules, be deemed to be one person and dealt with accordingly. No separation or partition effected after the 15th October, 1955 will be taken into consideration.

17. *Share of Co-tenant in the Joint Khata.*—When a khata is held jointly by two or more persons, for purposes of computing areas held by each co-tenant or area to the allotment of which each of them is eligible, such co-tenant shall be deemed to be in possession of such area of the joint khata only as falls to his share.

18. *Persons not eligible to Allotment of Government Land.*—No allotments of Government land shall be made to any of the following classes of tenants.—

- (i) A sub-tenant or a land-holding tenure khata under proprietary, mourusi or khatedari rights, who hold 25 bighas or more of land in his sub-tenancy and is not liable to ejection from his sub-tenancy under the provisions of the Rajasthan Tenancy Act, 1955 or any other law for the time being in force, in the area.
- (ii) A tenant who has transferred his holding or a part thereof, so as to make it uneconomic, after 15-10-1955 and has become landless on account of such transfer.

19. *Extent of Allotment.*—(a) Government lands in the Rajasthan Canal Project Colony, shall be allotted to the following different categories of tenants in the scale shown against each of them:—

- | | |
|---|---|
| (i) Bhakra landless tenants | (i) 15 bighas in each case. |
| (ii) Panchayat Samities | (ii) 75 bighas of irrigated land. |
| (iii) Landless tenants including landless tenants of Scheduled Castes and Tribes. | (iii) 15 bighas of command land in each case. |

(b) Tenure tenants who hold land less than 15 bighas in their khata and the whole or part thereof is with a sub-tenant, not liable to ejection, shall be allotted so much of Government land as would render their khata equal to 15 bighas, in each

case in the same village or chak and price will be charged as prescribed under these Rules.

20. *Computation of Area.*—(i) The areas mentioned in Rule 19 shall be of command land. Where the area held or to be allotted is uncommand, two bighas thereof shall be reckoned equivalent to 1 bigha of the command land.

(ii) If the land allotted is Nali land two bighas of Nali land will be equivalent to three bighas of other command land.

21. The land held anywhere by a person under one or more than one lease, engagement, grant or tenure, and whether cultivated personally or let or sub-let by him, shall be taken into consideration for calculating the extent of allotment under these rules and in case of any mis-statement of facts, the whole allotment shall be liable to cancellation.

22. Persons getting allotment of land under clauses (a) and (b) of rule 19 shall be bound to irrigate at least 25 percent of the land in command area allotted to each one of them during the first year of irrigation provided that irrigation water is let out to such land. On failure to fulfil this condition, the permanent allotment would be liable to be terminated.

23. *Scales of price to be charged for different classes of land and the mode of payment.*—(1) Following shall be scales of price which may be charged for Government lands allotted under these rules :—

Sl.No.	Class of soil	Price per Bighas	Price per Mur- abba of 25 bighas
1. Nali		Rs. 800.00	Rs. 20,000.00
2. Light Loam		Rs. 675.00	Rs. 16,875.00
3. Sandy Loam		Rs. 500.00	Rs. 12,500.00
4. Uncommand Lands		Rs. 150.00	Rs. 3,750.00

(2) No betterment fee shall be charged on Government lands allotted at above prices.

(3) In case land allotted as uncommand becomes command at any subsequent time, the price payable will be that prescribed for command land and the allottee shall be liable to pay the deficiency in price occasioned thereby and in case any land sold as command is declared as uncommand by the Irrigation Department before its price is fully paid up, the amount paid towards the payment of the price thereof as command land will be adjusted towards the price and instalments payable for it as uncommand land and any amount paid in excess thereof will be refunded to the allottee.

(4) Allottees other than Scheduled Castes and Scheduled Tribes shall pay 12-1/2% of the price and those belonging to the

Scheduled Castes/Tribes shall pay 5% of the price at the time of allotment and the residuary amount shall be paid in ten equal instalments as indicated below in respect of each square of 25 bighas commencing from the year in which water is released for the irrigation of the allotted land:—

(5) All annual instalments shall be liable to be paid by the allottee at the nearest sub-treasury on or before 15th July and an interest @ 9% shall be charged on the amount of instalments falling into arrears on that date.

(6) After allotment of land to each individual allottee the Deputy Colonisation Commissioner, shall prepare for each allottee a demand statement of the instalments to be realised from him and shall send it to the Collector and then it shall be the duty of the Collector to realise from the allottee the instalments as and when they fall due and to maintain ledger and accounts registers connected therewith. The amounts realised as well as the instalments falling in arrear with regard to each allottee shall be reported by the Collector after each year to the Colonisation Commissioner and the Deputy Colonisation Commissioner, if any.

Sale

24. *Issue of Notice of sale by Auction.*—(a) The allotting authority shall cause a public notice to be issued in form VI giving full details of the land to be sold by public auction, viz., number of the chak, number of the square of killa and the date and place of auction.

(b) The public notice shall be affixed at the notice board of the office of the Allotting Authority and the copies of such notice shall be affixed on the notice board of the tehsil concerned and on the notice board of the village panchayat, if any, constituted under any law for the time being in force. Its contents shall be made widely known in the locality in which the land proposed to be auctioned is situated, by affixing copies thereof at some convenient place on or near about such land and in other conspicuous public places in the locality or by publishing the same by beat of drum or by an advertisement in a newspaper having wide circulation in the locality or by any two or more of these means.

25. *Officer Conducting the Auction.*—Sale by public auction under these rules shall be held by the allotting authority or by a gazetted officer appointed by him for the purpose not below the rank of an R. A. S. Officer with the prior approval of the Government.

26. *Conditions of Sale.*—The following shall be the conditions of sale under these rules:—

(a) All land sold under these rules shall be subject to the provisions of the Act and of the Rajasthan Colonisation (General Colony) Conditions, 1955 and of these rules.

(b) Land may be put up for sale in one lot or in several lots as may be mentioned in the notice and the auctioning authority shall be competent to withdraw any lot or lots from sale without assigning any reason.

(c) No land shall be put to sale until the State Government has fixed a Reserved price in that respect. The sale price shall be the Reserved price determined by the State Government or the price offered in open auction, whichever is higher. The State Government reserves to itself the right to revise the reserve price for various categories of land from time to time.

(d) No person shall be allowed to bid unless he—

(i) deposits an earnest money amounting to five per cent of the total reserve price of each plot of land in cash. This earnest money shall be refunded on the spot to the unsuccessful bidder on the conclusion of the auction proceedings on that day; and

(ii) declares in writing before the officer conducting the auction that he does not hold any land in his own name or in the name of any member of the joint family anywhere in India or if he holds land, the total area of the land already held and of the land that he wishes to purchase at the auction shall not exceed 75 Bighas (three squares).

(e) No person shall, at any auction retract from his bid and if any dispute arises, the land shall be put up for auction against the last disputed bid.

(f) The highest acceptable offer shall be communicated to the Colonisation Commissioner and the sale shall not be complete unless the offer is accepted by the Colonisation Commissioner :

Provided that the Colonisation Commissioner shall not, without the approval of the Government in Colonisation Department, accept an offer unless it is 15% above the reserve price.

(g) The State Government in the Colonisation Department or the Colonisation Commissioner as the case may be, reserves the right to reject any bid without assigning any reason therefor or to withdraw any lot or lots from auction at any time without assigning any reasons :

Provided that in case of rejection of any bid the Colonisation Commissioner shall also pass an order for the refund of 50% of the purchase price deposited under clause (h) and any other

amount which might have been deposited by the bidder towards payment of the purchase price.

(h) A sum equivalent to fifty per cent of the purchase price shall have to be deposited in cash by the bidder whose bid is to be recommended to the Colonisation Commissioner immediately at the conclusion of the bid, and the balance will be realised in cash before handing over possession of the land.

(i) Should any purchaser fail to observe or comply with any of the foregoing conditions, his deposit shall be forfeited to the State Government and the Colonisation Commissioner may have the land re-sold by a public auction, and any deficiency of price which may result on such re-sale shall be made good and paid by the defaulting purchaser.

(j) If it is discovered at any time that the declaration referred to in clause (d) (ii) is false, the land in excess and if the purchaser fails to cultivate the land personally, the entire land sold, may be resumed by the Collector without payment of any compensation.

27. *Appeal*.—Any person or party agrieved by an order passed or allotment made by the allotting authority or by an order of rejection of the application for allotment under these rules, may, within 30 days of the date of such order, appeal to the Colonisation Commissioner whose decision thereon shall be final.

28. The Colonisation Commissioner will have the power to issue instructions and lay down the procedure for the preparation of records in respect of reservation of lands and their allotment and sale.

FORM I

See Rule 5 (1)

(List of Government Lands)

Name of Tehsil Colonisation R.C.P..... District.

Sl.	Name of	Khasra No.	Details of Area				Remarks	
No.	village or Chack	or square No.	Killa No's com-mand	Kiila No's uucom-mand	Gair mum-kin	Total	Soil class	
1	2	3	4	5	6	7	8	9

FORM II

(See Rule II (1)

Public Notice

Whereas..... Bighas of Government Lands situated in village.....of Tehsil.... ..is available for allotment for agri-

cultural purposes under the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967 this public notice is hereby issued under Rules 11 (1) of the said rules and all concerned are hereby informed that any person who wishes to apply for allotment of any of the lands available for allotment should apply to the Colony Tehsildar concerned within two months of the publication of this notice in the prescribed form. The list of the lands available for the allotment may be seen at the Colony Tehsil office during office hours on any working day between the date of this public notice and the date of expiry of the period for submission of application.

Issued under my hand and the seal of this office.....
day of.....

Signature and designation of
 allotting authority.

FORM III

(See rule 12 (1))

Application For Allotment of Land

To,

The Tehsildar, Tehsil..... District.....

Sub.—Application For Allotment of Land Under The Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment And Sale) Rules, 1967.

Sir,

I..... Son of..... Caste.....
 Occupation..... Permanent resident of.....
 Tehsil District..... hereby
 submit as under:—

That I am landless tenant within the meaning of clause (xiv) of rule 2 of the above rules of caste.....

OR

That the applicant is the Panchayat Samiti within the meaning of clause (xiv) of rule 2 of the above rules.

OR

That I am a person having less land than the limit prescribed in clause (b) of Rule 18 of the above rules.

2. That I hold the under mentioned lands/do not hold any land.

Name of village	Name of Tehsil with name of District	Khasra No. with area	Soil Class With Area	Tenure or
			Nehri or irrigated by other source. Barani	on Temporary cultivation or under special lease

Note.—In case of tenure lands, mention the kind of tenure. In case of temporary cultivation state whether it is shifting or cultivating the same land continuously and whether any special entry has been made with regard to his lease in the settlement or revenue records, and in case of special lease, such as, lease under Grow More Food Campaign or lease, to a Co-operative Society furnish full details of lease together with certified copies of document if any, supporting his claims.

3. That I own..... Cattle..... Ploughs.

4. That my family consists of:—

Name of adult with relation and age. Name of children with relation and age

Male	Female	Male	Female
1. therefore, hereby request that I may be allotted the under mentioned lands for cultivation. —			
Name of village with name	Khasra	Area	Soil Class
of Tehsil and Distt.			

I hereby agree to abide by the provisions of (i) the Rajasthan Colonisation Act, 1954 (ii) The Rajasthan Colonisation (General Colony) Conditions, 1955 and (iii) of the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules and (iv) I further undertake to pay the price of the land as fixed by the Government.

Yours faithfully,
Signature.

FORM IV

(See rule 12 (2) (b))

Register of Applications for Allotment

Name of Tehsil colonisation			District	
S. No.	Date	Time	Name of the applicant	Address	Kind of allotment claimed.	Remarks
1	2	3	4	5	6	7

FORM V

(See Rule 12 (2) (b))

Acknowledgment of Receipt of Application

Received application of Shri Son of
 resident of village/town....
 Tehsil.... District ...
 for allotment of land under rule 12(1) of the Rajasthan Coloni-

sation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, on at A.M./P.M.
and registered at Serial No.
Colony Tehsildar/Tehsildar
.....

FORM VI
(See Rule 24)

NOTICE OF SALE
OFFICE OF DEPUTY COLONISATION COMMISSIONER AND
ALLOTING AUTHORITY RAJASTHAN CANAL PROJECT

BIKANER
NOTICE

Notice is hereby given to the general public that the Government Lands as mentioned below shall be sold by public auction as per programme given below from 10 a. m. to 4.30 p.m.

Particulars and maps regarding the lands to be sold can be seen in the office of concerning Colonisation Tehsil Rajasthan Canal Project.

Date of auction :—

Place of auction :—

Tehsil Colonisation Rajasthan Canal Project :—

Chack No.	Square No.	Killa No's
1	2	3

Note :—(1) The bidders can bid in the auction after depositing 5 per cent of the reserved price.

(2) 50 per cent of the auction money shall have to be deposited by the last bidder after conclusion of the bid by the auction officer and only after that his bid shall be recommended to the Colonisation Commissioner for confirmation.

(3) Proper arrangements have been made for showing the Government lands to be auctioned by the Tehsildar Colonisation Rajasthan Canal Project.

(4) Auction shall be made over and above the Reserved Price which is given below :—

Nali	Rs.	800.00	per Bigha
Light Loam	Rs.	675.00	per Bigha
Sandy Loam	Rs.	500.00	per Bigha
Uncommand	Rs.	15.00	per Bigha

REVENUE (COLONISATION) DEPARTMENT

Notification No. F. 22 (54) Rev/Col/64/P. II, dated June 21, 1968.—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby makes the following amendments in the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, namely :—

AMENDMENTS

2. In Rule 2 of the said rules—

- (i) in clause (ix), the full-stops occurring after the words “or who holds only a fragment” shall be and shall always be deemed to have been deleted and the words “or land measuring less than 15 bighas” shall be and shall always be deemed to have been added.
- (ii) clause (xiii) shall be and shall always be deemed to have been deleted.
- (iii) after clause (xiv), the following clause shall be added :—
“(xv) “Advisory committee” means a committee formed under Rule 12A.”

2. In clause (b) of sub-rule 1 of rule 8, the figure “24” shall be and shall always be deemed to have been replaced by the figure “23”.

3. In rule 9, before the words “Leases of lands granted under”, the bracket and figure “(i)” shall be and shall always be deemed to have been added and after clause (i) as so added, the following clause shall be and shall always be deemed to have been inserted :—

“(ii) all post-1955 temporary cultivation leases”.

4. In rule 12 of the said rules,—

- (i) in sub-rule (1), the words “within two months from the date of the public notice under sub-rule (2) of rule 11” shall be and shall always be deemed to have been replaced by the words “Within the time fixed in the public notice under sub-rule (2) of rule 11 or such further time as may, from time to time, be extended by the Allotting Authority”.
- (ii) sub-rule (4) shall be and shall always be deemed to have been substituted as follows :—
- (4) The Assistant Colonisation Commissioner having jurisdiction shall scrutinize the applications submitted to him by the Colony Tehsildar and shall forward them to the Allotting Authority with his recommendation for acceptance or rejections, as the case may be, giving reasons therefor.”

- (iii) sub-rule (5) shall be deleted.
- (iv) the existing sub-rule (6) shall be substituted as follows :—
- (5) Applications received after due date shall be rejected without consulting the Advisory Committee”.

5. After Rule 12 as so amended, the following rule shall be added :—

“12A. Allotments to be in consultation with the Advisory Committee”.

- (1) All allotments shall be made by the Allotting Authority in consultation with an Advisory Committee consisting of :—
- (a) the member of the Rajasthan Legislative Assembly in whose constituency the land is situated;
- (b) the Pradhan of the Panchayat Samiti in whose jurisdiction the land is situated;
- (c) the Sarpanch of the Gram Panchayat in whose jurisdiction the land is situated; and
- (d) a representative of the Scheduled Castes or Scheduled Tribes as may be nominated by the Government if there is no representation of the said castes or tribes in the Advisory Committee.
- (2) The Allotting authority shall give to the members of the Advisory Committee at least one week's notice of the date of meeting :

Provided that if any member of the Advisory Committee fails to attend on the date fixed despite service of notice, the allotting authority shall carry on the work of allotment in consultation with such of the members as attend the meeting.

*Explanation :—*The notice of the date of meeting shall be served in the manner prescribed in the Revenue Courts Manual for the service of summons or notices :

Provided that if the service is not possible in the aforesaid manner, the notice shall be sent under a postal certificate or by registered post.

- (3) The Allotting authority and the members of the Advisory Committee shall meet at the Head Quarters of the Allotting authority or at any other place as may be decided by the Allotting authority.
- (4) The minutes of the Advisory Committee shall be recorded by the Allotting Authority and signed by the members present and if there is a difference of opinion, the opinion of each member attending the meeting shall be recorded by the Allotting authority.

In case of difference of opinion between the members of the Advisory Committee and the Allotting Authority, the latter shall record his reason and pass final orders rejecting or granting the application for allotment.

(5) Separate lists of persons whose applications have been granted or rejected shall be affixed on the notice board of the Allotting Authority on the very day of the order and such publication of list shall be deemed to be a sufficient notice to the applicants of the order for all purposes :

Provided that the Allotting Authority shall not proceed with the execution of such orders granting or rejecting any application until the expiry of 15 days from the date of publication as aforesaid.

(6) In rule 15 of the said rules,—

(i) In sub-clause (4) of clause (a), the word “Districts” between the words “contiguous” and “or” shall be and shall always be deemed to have been replaced by the word “District”.

(ii) The full-stop appearing at the end of the explanation of clause (b) shall be and shall always be deemed to have been replaced by a colon and after the said explanation as so amended, the following proviso shall be and shall always be deemed to have been added:

“Provided that if the small piece of land is surrounded by only one field, it shall not be auctioned but shall be allotted to the applicant holding such field at market rate prevalent in the area.”

(7) In sub-rule (i) of rule 18 of the said rules, the words “land-holding” shall be and shall always be deemed to have been replaced by the words “land-holder” and the word “hold” in the second line of the said sub-rule shall be and shall always be deemed to have been replaced by the word “holds”.

(8) In sub-rule (1) of Rule 23 of the said rules, the colon and dash appearing after the words “Government lands allotted under these rules” shall be and shall always be deemed to have been deleted and after the said words, the words “for which various soil classes have been sanctioned by the Allotting Authority:—” shall be and shall always be deemed to have been added.

(9) In rule 26 of the said rules,—

(i) after clause (c), the following explanation shall be and shall always be deemed to have been added:—

Explanation:—Until the State Government fix the reserved price, the scales of prices as given in rule 23 shall be deemed to be the reserved price for the purpose of this rule.”

(ii) in clause (d), the dash appearing after the words "No person shall be allowed to bid unless he" shall be and shall always be deemed to have been deleted and after the said words, the words "is a resident of Rajasthan and he—" shall be and shall always be deemed to have been added.

(10) In Form III annexed to the said rules,—

(i) the word "Colony" shall be and shall always be deemed to have been inserted between the words "The" and "Tehsildar"

(ii) the word "Tehsil" appearing below the words "The Tehsildar" shall be and shall always be deemed to have been replaced by the words "Rajasthan Canal project."

(iii) the figure "18" appearing after the words "prescribed in clause (b) of rule" shall be and shall always be deemed to have been replaced by the figure "19"

(iv) the words "or lease, to a Co-operative Society" appearing in the note given below item No. 2 of the said Form shall be and shall always be deemed to have been deleted.

(ii) In Form No. VI annexed to the said rules, the figures "15.00", Occurring in the table of reserved price given below note 4 against the word "uncommand" shall be and shall always be deemed to have been replaced by the figures "150 00".

[pub. in Raj. Gaz. Ex. 4. (Ga)-Dt. 9-8-68-Page 406.]

Revenue (Colonisation) Department

Notification No. F. 22 (54) Rev./Col./64/Pt.II, dated August 9, 1968—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No XXVII of 1954). the State Government hereby makes the following amendments in the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, namely:—

AMENDMENTS

In the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, in rule 23—

(1) in sub-rule (1) the words "Alloting Authority" shall be replaced by the words "Collector as defined in the Act", and

(2) in sub-rule (3) the words "that prescribed" shall be replaced by the words "the market price prevalent at the time".

It shall come into force on 10th August, 1968.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 9-8-68Page 407]

Revenue (Colonisation) Department

Notification No. F. 22 (54) Rev/Col/64/P.II. dated June 21, 1968 :—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby makes the following amendments in the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, namely :—

AMENDMENTS

1. In Rule 2 of the said rules,—

- (i) in clause (ix), the full stops occurring after the words “or who holds only a fragment” shall be and shall always be deemed to have been deleted and the words “or land measuring less than 15 bighas” shall be and shall always be deemed to have been added.
- (ii) clause (xiii) shall be and shall always be deemed to have been deleted.
- (iii) after clause (xiv), the following clause shall be added ;—
“(xv) “Advisory committee” means a committee formed under Rule 12 A”

2. In clause (b) of sub-rule 1 of rule 8 the figure “24” shall be and shall always be deemed to have been replaced by the figure “23”.

3. In rule 9 before the words “Leases of lands granted under”, the bracket and figure “(i)” shall be and shall always be deemed to have added and after clause (i) as so added, the following clause shall be and shall always be deemed to have been inserted :—

“(ii) all post—1955 temporary cultivation leases”.

4. In rule 12 of the said rules,—

- (i) in sub-rule (1), the words “Within two months from the date of the public notice under sub-rule (2) of rule 11” shall be and shall always be deemed to have been replaced by the words “Within the time fixed in the public notice under sub-rule (2) of rule 11 or such further time as may, from time to time, be extended by the Allotting Authority.”

(ii) sub-rule (4) shall be and shall always be deemed to have been substituted as follows :—

“(4) The Assistant Colonisation Commissioner having jurisdiction shall scrutinize the applications submitted to him by the Colony Tehsildar and shall forward them to the Allotting authority with his recommendation for acceptance or rejection, as the case may be, giving reasons therefor”.

(iii) sub-rule (5) shall be deleted.

(iv) the existing sub-rule (6) shall be substituted as follows :—

“(5) Applications received after due date shall be rejected without consulting the Advisory Committee”.

5. After Rule 12 as so amended, the following rule shall be added :—

“12A. Allotments to be in consultation with the Advisory Committee”.

(1) All allotments shall be made by the Allotting Authority in consultation with an Advisory Committee consisting of :—

- (a) the member of the Rajasthan Legislative Assembly in whose constituency the land is situated ;
- (b) the Pradhan of the Panchayat Samiti in whose jurisdiction the land is situated ;
- (c) the Sarpanch of the Gram Panchayat in whose jurisdiction the land is situated ; and
- (d) a representative of the Scheduled Castes or Scheduled Tribes as may be nominated by the Government if there is no representation of the said castes or tribes in the Advisory Committee.

(2) The Allotting Authority shall give to the members of the Advisory Committee at least one week's notice of the date of meeting :

Provided that if any member of the Advisory Committee fails to attend on the date fixed despite service of notice, the Allotting Authority shall carry on the work of allotment in consultation with such of the members as attend the meeting.

*Explanation :—*The notice of the date of meeting shall be served in the manner prescribed in the Revenue Courts Manual for the service of summons or notices :

Provided that if the service is not possible in the aforesaid manner, the notice shall be sent under a postal certificate or by registered post.

(3) The Allotting Authority and the members of the Advisory Committee shall meet at the Head Quarters of the Allotting Authority or at any other place as may be decided by the Allotting Authority.

(4) The minutes of the meetings of the Advisory Committee shall be recorded by the Allotting Authority and signed by the members present and if there is a difference of opinion, the opinion of each member attending the meeting shall be recorded by the Allotting Authority. In case of difference of opinion between the members of the Advisory Committee and the Allotting Authority, the latter shall record his reason

and pass final orders rejecting or granting the application for allotment.

- (5) Separate lists of persons whose applications have been granted or rejected shall be affixed on the notice board of the allotting authority on the very day of the order and such publication of list shall be deemed to be a sufficient notice to the applicants of the order for all purposes :

Provided that the Allotting authority shall not Proceed with the execution of such orders granting or rejecting any application until the expiry of 15 days from the date of publication as aforesaid.

- (6) In Rule 15 of the said rules,—

- (i) In sub-clause (4) of clause (a) the word “Districts” between the words “contiguous” and “or” shall be and shall always be deemed to have been replaced by the word “District”.

- (ii) The full-stop appearing at the end of the explanation of Clause (b) shall be and shall always be deemed to have been replaced by a colon and after the said explanation as so amended, the following proviso shall be and shall always be deemed to have been added :—

“Provided that if the small piece of land is surrounded by only one field, it shall not be auctioned but shall be allotted to the applicant holding such field at market rate prevalent in the area.”

- (7) In sub-rule (i) of rule 18 of the said rules, the words “land-holding” shall be and shall always be deemed to have been replaced by the words “land holder” and the word “hold” in the second line of the said sub-rule shall be and shall always be deemed to have been replaced by the word “holds.”

- (8) In sub-rule (1) of Rule 23 of the said rules, the colon and desh appearing after the words “Government lands allotted under these rules” shall be and shall always be deemed to have been deleted and after the said words, the words “for which various soil classes have been sanctioned by the Allotting Authority :—

Shall be and shall always be deemed to have been added.

- (9) In rule 26 of the said rules:—

- (i) after clause (c), the following explanation shall be and shall always be deemed to have been added:—

*Explanation :—*Until the State Government fix the reserved price, the scales of prices as given in rule 23 shall be deemed to be the reserved price for the purpose of this rule.”

- (ii) in clause (d), the dash appearing after the words "No person shall be allowed to bid unless he" shall be and shall always be deemed to have been deleted and after the said words, the words "is a resident of Rajasthan and he—" shall be and shall always be deemed to have been added.
- (10) In Form III annexed to the said rule,—
 - (i) the word "Colony" shall be and shall always be deemed to have been inserted between the words "The" and "Tehsildar".
 - (ii) The word "Fehsil" appearing below the words "The Tehsildar" shall be and shall always be deemed to have been replaced by the words "Rajasthan Canal Project."
 - (iii) the figure "18" appearing after the words "prescribed in clause (b) of rule" shall be and shall always be deemed to have been replaced by the figure '19'.
 - (iv) the words "or lease, to a Co-operative Society"- appearing in the note given below item No. 2 of the said Form shall be and shall always be deemed to have been deleted.
- (11) In Form No. I-VI annexed to the said rules, the figures "15.00" occurring in the table of reserved price given below note 4 against the word "uncommand" shall be and shall always be deemed to have been replaced by the figures "150.00".

[Published in Raj. Gaz. Ex. 4 (Ga) Dt. 19.9.68 P. 237.]

Rajasthan Colonisation (Raj. Canal Project Government Land Allotment and Sale) Rules, 1967.

Revenue Colonisation Department

Notification G.S.R. 20, dated June 2, 1970.—In exercise of the powers conferred by section 28 read with section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act XXVII of 1954), the State Government hereby makes the following rules further to amend the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, namely:—

1. *Short title.*—These rules may be called the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) (Amendment) Rules, 1970.

2. *Amendment of Rule 6.*—After clause (VI) of sub-rule (1) of rule 6 of the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967, hereinafter referred to as the said rules, the following clause shall be added, namely:—

“(VII) Allotment to unemployed Graduate in Agriculture (including “Graduates in Agricultural Engineering.”)

3. *Amendment of the rule 7.*—After sub-clause (x) of clause (A) of sub-rule (1) of rule 7 of the said rules, the following clause shall be added, namely:—

“(xii) For unemployed graduates in Agriculture (including unemployed Graduates in Agricultural Engineering) upto 3125 acres.”

4. *Amendment of Rule 14.*—After clause (c) of rule 14 of the said rules, the following clause shall be added, namely:—

“(d) Unemployed Graduates in Agriculture (including unemployed graduate in Agricultural Engineering).”

5. *Amendment of Rule 15.*—After clause (b) of rule 15 of the said rule, the following clause shall be added, namely:—

“(c) Priorities for allotment amongst unemployed Graduates in Agriculture (including unemployed Graduates in Agricultural Engineering) shall be first come first served.”

6. *Insertion of rule 17 A.*—After rule 17 of the said rules the following rule shall be added, namely:—

17-A. *Allotment of Land for unemployed Graduates in Agriculture including unemployed Graduates in Agricultural Engineering.* Notwithstanding anything contained in these rules allotment of

land to unemployed Graduates in Agriculture (including unemployed Graduates in Agricultural Engineering) shall be made in the following manner.—

(a) An unemployed Graduate in agriculture (including unemployed in agricultural Engineering) shall submit his application for allotment under these rules in Form VII to the Director of Agriculture, Rajasthan who shall immediately register it in a register maintained for the purpose and issue to the applicant a receipt of bearing serial number alongwith the date on which the application was submitted to him.

(b) The Director of Agriculture shall send to the Colonisation Commissioner such applications, duly certified by him and stating that the applicant has been selected by him for allotment of land in the Rajasthan Canal Project area.

(c) The Colonisation Commissioner shall keep a copy of the application in his office and forward the same to the concerned Allotting Authority for allotment of land.

(d) The Allotting Authority shall allot each applicant 25 bighas of Command land (one murabba) out of the area reserved for such persons on the terms and conditions as laid down in these rules for other allottees.

(e) The Unemployed Graduate in Agricultural Engineering, as the case may be, who has been allotted land under these rules, shall take possession of the land within one month of such allotment and in case of his failure to take possession of the land within the period, the allottee shall be deemed to have declined the allotment and the land shall thereafter be available for re-allotment to any other unemployed graduate in Agriculture or Agricultural Engineering, as the case may be, under this rule.

(f) The allotting Authority shall grant a certificate of giving over of possession to the unemployed Graduate in Agriculture or Agricultural Engineering, showing details of the land given under this rule. A copy of the certificate shall also be forwarded to the Colonisation Commissioner and the Director of Agriculture for record.

The unemployed Graduate in Agriculture or in Agricultural Engineering, as the case may be, shall use the land allotted to him for personal cultivation and he shall not be allowed to transfer, sub-let or mortgage it to any other person except to mortgage it to a land Mortgage Bank or any other financial institution approved by the Government for the purpose of obtaining loans for agricultural purposes in relation to the said land. In case such Graduate is employed within five years of the date of allotment anywhere, the land allotted shall be resumed to the Government and all instalments recovered shall be refunded but compensation shall be given for the expenditure incurred by the allottee on the development of the land.

7. *Amendment of Rule 19.*—After sub-clause (iii) of clause (a) of rule 19 of the said rules, the following clause shall be added, namely:—

“(iv) Unemployed Graduates in (iv) 25 Bighas of Agriculture (including unemployed Command land in Graduates in Agricultural Engineering each case.”

8. *Addition of new Form.*—After Form VI appended with the said rules, the following new Form VII shall be added, namely.—

Form VII

(See Rule 17-A)

Application for Allotment of Land.

To.

The Director of Agriculture, Government of Rajasthan, Jaipur.
Sub:—Application for allotment of land under 17-A of the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967.

Sir.

I..... S/o
Casteresident of
Tehsil..... District
hereby submit as under:—

(1) That I am an unemployed Graduate in Agriculture/ Agricultural Engineering.

(2) The after passing the examination in
from the College
University. I have not got employment anywhere till the date of this application.

I therefore, hereby request that I may be allotted Government Command Land in the area of the Rajasthan Canal Project under the Rajasthan Colonisation (Rajasthan Canal Project Government Land Allotment and Sale) Rules, 1967.

Your's faithfully,

Signature

Dated

Certificate of Director of agriculture

I hereby certify that the applicant is an unemployed Graduate in Agriculture/Agricultural Engineering and has been selected by me for allotment of land in the area of Rajasthan Canal Project. He may be allotted land according to the Rules and a copy of the Certificate of given over possession may be forwarded to me for record under Rules 17. A. (6).

Rajasthan Colonisation (Sale of Land in Mandies in the Chambal Irrigation Project Area) Rules, 1960.

No- F.3 (210) Rev/Col/67, date October 7, 1969—In sup-
-ession of this department notification No. D.8287/F. 7 (113)
Irg/60 dated the 18th October, 1960, and in exercise of the
powers conferred by rule 3(c) of the Rajasthan Colonisation
(Sale of Land in Mandies in the Chambal Irrigation Project
Area) Rules, 1960, the State Government hereby declares the
following areas and villages as "Mandi" for the purpose of the
said rules. This will not affect anything done or action taken
under the notification superseded hereby :—

S. No	Name of District	Name of Tehsil	Name of Mandi	Areas and names of villages declared as Mandi
1	2	3	4	5
1.	Kota	Ladpura	Kota	<ol style="list-style-type: none"> 1. All area within the Municipal of Kota excluding the area within the four-walls of Kota City. 2. Devnagar 3. Gordhanpura 4. Rangbari 5. Roteda 6. Chandresal 7. Sogaria 8. Arjunpura 9. Manpura 10. Borknandi 11. Naya Nohra 12. Hanuwat Khara 13. Rajnagar 14. Raipura 15. Chhatrapura (Viran) 16. Lakhawa 17. Kherli Pande 18. Daslana 19. Jhalipura 20. Mandania 21. Hathikhera 22. Charinda

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				23. Dhakar Kheri
				24. Ummedganj
				25. Khera Jagpura
				26. Shambhupura
				27. Shukhpura
				28. Daulatganj
				29. Rojhari
				30. Girdharpura
				31. Kanwarpura
2.	Kota	Baran	Baran	1. Baran
				2. Nalka
3.	Kota	Mangrol	Anta	1. Anta
				2. Bamori
4.	Kota	Digod	Sultanpur	1. Sultanpur
5.	Kota	Digod	Simlia	1. Simlia
6.	Kota	Mangrol	Mangrol	1. Mangrol
7.	Kota	Piplada	Itawa	1. Itawa
				2. Fatehpura
8.	Kota	Mangrol	Siswali	1. Siswali
9.	Kota	Piplada	Indergarh	1. Indergarh
		(Sub-Tehsil		2. Moharpura
		Indergarh)		3. Sumerganjmandi
10.	Bundi	Keshorai-	Kapren	1. Kapren
		patan		2. Arnia
11.	Bundi	Keshorai-	Laban	1. Laban
		patan		2. Kharayata
12.	Bundi	Keshorai-	Bundi	1. Keshoraipatan
		patan	Road	2. Isharnagar
13.	Bundi	Bundi	Bundi	1. Bundi
				2. Deopura
				3. Chhatarpura
14.	Bundi	Bundi	Talera	1. Talera
				2. Khedala
				3. Raghunathpura

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 7-10-67—Page 596]

Raj. Colonisation (Temporary Cultivation Leases) Amendment Conditions, 1970.

REVENUE (COLONISATION) DEPARTMENT

Notification G.S.R. 11, dated May 7, 1970.—In exercise of the powers conferred by section 28, read with sub-sections (1) and (2) of section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the State Government hereby issues the following statement of conditions further to amend the Rajasthan Colonisation (Temporary Cultivation Leases) Conditions, 1955, namely:—

1. *Short title.*—This statement of conditions may be called the Rajasthan Colonisation (Temporary Cultivation Leases) Amendment Conditions, 1970.

2. *Amendment of Condition No. 4.*—In condition No. 4 of the Rajasthan Colonisation (Temporary Cultivation Leases) Conditions, 1955, hereinafter referred to as “the Conditions”,

(a) for clause (n), the following shall be substituted, namely:—

“(n) “Landless tenant” means a bonafide agriculturist by profession who cultivates or can reasonably be expected to cultivate land personally and does not hold any land or holds less than 25 bighas of irrigated or 50 bighas of unirrigated land under proprietary, Maroossee or Khatedari rights or in any other capacity, in his own name or in the name of any member of his joint family:

Provided that the land held by such person on the date of application for allotment for temporary cultivation together with land, if any, disposed of by such person or by any member of his joint family by transfer or otherwise at any time after the 31st day of March, 1955, does not exceed 25 bighas of irrigated or 50 bighas of unirrigated land under the aforesaid tenures or tenancy.

Explanation :—For the purpose of these conditions one bigha of irrigated land will be reckoned to be equal to two bighas of unirrigated land and vice-versa”.

(b) after clause (n), the following clause shall be added namely:—

“(o) “Schedule” means a Schedule appended to these Conditions.”

3. *Amendment of Condition No. 6*—In Condition No. 6 of the Conditions :

(a) for clause (1), the following clause shall be substituted, namely :—

“(1) For the purposes of giving out temporary lease of Government land, the Tehsildar shall fix dates for allotment for each village on the conditions set forth in this statement and shall notify the same in the village concerned as also in the villages adjoining thereto, by affixing a notice thereof at a conspicuous place in each such village by beat of drum, not less than ten days before the date fixed for allotment. He shall fix a copy of such notice on the notice Boards of his own office within the same period and shall also send copies thereof to the following authorities for being affixed on the Notice Boards of the respective offices atleast ten days before the date fixed for allotment :—

1. Collectors of all the Districts in the State,
2. Sub Divisional officers (Revenue) and the Assistant Colonisation Commissioner having jurisdiction,
3. Tehsildar (Revenue) of the village concerned,
4. Pradhan of the Panchayat Samiti concerned, and
5. Sarpanch of the Gram Panchayat concerned.

(b) for clause (3) (except the explanation), the following clause shall be substituted, namely :—

“(3) Allotment shall be made to applicants who upon scrutiny of their application are found eligible for allotment under these rules, in order of priority as laid down in condition No. 7, if there are more applicants, than the number of plots available for allotment belonging to the same priority, the land shall be allotted by drawing lots amongst the said applicants. The lots shall be drawn in the manner prescribed in schedule 1:

Provided that if a particular plot of land had been leased out for temporary cultivation to a landless tenant/residing in a village falling in the Tehsil in which the plot of land is situated, continuously since 1967, such plot may be re-allotted to him without drawing lots.”

(c) in clause (4) for the words “Where there is only one applicant the allotment shall be made in consultation with an Advisory Committee consisting of:—”, the words “For deciding eligibility of an applicant for allotment of land under these conditions, the Tehsildar shall take assistance from an Advisory Committee consisting of” shall be substituted.

(d) in proviso to clause (5), for the word “allotment” the words “scrutiny for deciding eligibility of applicants” shall be substituted.

(e) for clause (6), the following shall be substituted, namely :—

"(6) The work of scrutiny of applications with the assistance of the Advisory Committee and drawing of lots shall be carried out at the Head Quarters of the Tehsil concerned or at any other suitable place and at such time as may be specified in the notice issued under clause (1)."

4. Amendment of condition No. 7.—In condition No. 7 of the conditions :—

(a) for clause (i), the following shall be substituted, namely :—

'landless tenants who have been residing in the same village in which the land for allotment lies, continuously since before the 1st day of April, 1955':

(b) clause (ii) shall be omitted;

(c) both the provisos appearing after clause (vi) shall be omitted;

(d) for the proviso after clause (viii), the following new proviso shall be substituted, namely;

"Provided that each applicant shall have to deposit with the Tehsildar alongwith his application security deposit @ Re. 1/-per Bigha of land applied for; this amount may be forfeited if the applicant refuses to accept allotment of land which may be made in his favour under these Conditions;

Provided further that a landless tenant who holds less than 25 bighas of irrigated or 50 bighas of unirrigated land will be eligible for allotment of so much land as may make his total holding 25 bighas of irrigated or 50 bighas of unirrigated land.

(e) in the Explanation, for figure "1955", the figure "1960" shall be substituted.

5. Insertion of condition No. 7A.—After condition No. 7 of the Conditions, the following condition shall be inserted, namely :—

"7A. Form of application and authority to whom application to be made.—All applications for allotment of land under these conditions shall be made in the form given in schedule II duly supported by an affidavit to the Tehsildar concerned :

Provided that a person shall not apply for allotment as more than one village at a time.

6. Amendment of condition No. 8.—For condition No. 8 the following shall be substituted, namely :—

8. *Extent of allotment* .—Maximum area of land which may be allotted to an applicant shall not exceed 25 bighas of irrigated or 50 bighas of un-irrigated land inclusive of the area of land which he or any member of his joint family might have transferred since the 31st day of March, 1955 as also the land actually held by him, if any.

Illustration.— P is an applicant who holds 10 bighas of irrigated land but had disposed of another 10 Bighas of irrigated land after the 31st day of march, 1955, out of his holding of 20 bighas. Now he may be allotted land to the maximum extent of 5 bighas only”.

7. *Insertion of schedules.*—After condition No. 23 of the Conditions, the following schedules shall be added, namely :—

SCHEDULE 1

(See Condition No. 6)

PROCEDURE FOR DRAWAL OF LOTS

1. *Preparation of lists of Government land.*—(1) For the purpose of allotment of Government land for temporary cultivation, the Tehsildar shall first of all prepare village-wise lists of Government land available for such allotments, entering therein—

- (a) its Chak number,
- (b) its Murabba number,
- (c) whether the land is irrigated or un-irrigated, and
- (d) whether the land is commanded or not,

(2) The land will be listed in the following order :—

- (i) first of all, the Chaks of the main canal, if any, falling in the village will be enlisted;
- (ii) then, the Chaks of any branch of the main canal, if any, will be enlisted;
- (iii) then, the Chaks of any distributory, if any, will be enlisted.

(3) In a Chak, every Murrabba or square will be serially arranged keeping in view its proximity to the outlet or if for any reason (which should be recorded in writing) it is not feasible in the opinion of the Tehsildar so to arrange them, then every Murabba or square will be arranged in a serial order starting from the North-East corner of the Murabba.

2. *Preparation of list of eligible applicants.*—The Tehsildar shall prepare in consultation with the Advisory Committee village-wise lists of eligible applicants of each category in order of priority as laid down in condition No. 7 in the following proforma :—

- “(1) Name of village,
- (2) Name of Colonisation Tehsil.

S. No.	Particulars of the eligible applicants	No. of priority	Name of the Chak of the village in which the applicant applied for allotment
--------	--	-----------------	--

Signature of Tehsildar.”

3. *Drawal of lots.*—(i): For the purpose of drawing lots, one box of suitable size will be used. This box will contain paper slips bearing the number and names of eligible applicants in accordance with the priority-wise eligibility list. After the Tehsildar has satisfied himself that slips in respect of eligible applicants for a particular priority have been duly prepared. Such slips shall be rounded up in the shape of balls and put into the box and thereafter the box shall be turned up and down so that the balls are satisfactorily mixed up.

(2) The lots will be drawn under the supervision of the Tehsildar on the date, time and place as may be specified in the notice issued under clause (1) of condition No 6.

(3) Lots will be drawn by a person selected at random from amongst spectators present on the occasion,

(4) Lots will be drawn separately for eligible applicants belonging to the same category in order of priority laid down in condition No. 7.

(5) The balls will be drawn one by one. The balls picked up one after another will be entered in a separate list given below in the order in which they are drawn :

- “(1) Name of village,
(2) Name of Tehsil,
(3) Date and place.

S. No.	Name and particulars of the successful applicant	Chak No.	Serial No. from the outlet	Stone No. of the murrabba with area	
1	2	3.	4i	5	
Signature of the applicant in token of his acceptance of the land/refusal to take such land			Order of the Tehsildar for leasing out the land or for the confiscation of the security deposit, if the applicant refuses to accept the land		Remarks
6			7		8"

(6) As soon as a ball is drawn, the first Murrabba or part thereof as entered in the list of Government land available for allotment will be recorded in the name of the applicant borne on the slip. This process will be continued until all the land available for allotment in the particular village or Chak has been exhausted and recorded in the names of successful applicants.

(7) The name of the successful applicant in respect of each Murrabba or part thereof will be announced in the presence:

of the gathering and signatures of the drawee will be obtained in the list prescribed in para 5 above in token of his acceptance or non-acceptance of the land so allotted.

(8) As soon as draw of lots in respect of a particular village is over, the Tehsildar will sign the result of the draw in the aforesaid list and authenticate the same. Thereafter, necessary steps will be taken for issue of temporary cultivation leases after calling for necessary security deposit and compliance with other instructions.

SCHEDULE 2
APPLICATION FORM
(See Condition No. 7-A)

To,
The Tehsildar,
(Colonisation),
.....
Subject :—Application for allotment of Government land for temporary cultivation in village.....Tehsil.....
District.....

Sir,
(1) The applicant is a bonafide resident of village.....
Tehsil.....District.....and has been residing therein continuously since.....(Date and Year). His village is/is not situated in Rajasthan Canal Project.

(2) The applicant is a landless tenant, and holds.....bighas of land in.....village (District.....) as Khatedar/on temporary lease. The applicant or any other member of his joint family has not disposed of/disposed.....bighas of land by transfer of otherwise after the 31st March, 1955, the details of which are as follows :—

The details of the land transferred after 31st March, 1955.

Name of village	Name of Tehsil	Name of District	Details of land transferred	Quality of land i.e., irrigated or un irrigated.	Date of transfer	How transferred	Remarks
1	2	3	4	5	6	7	8

(3) Neither the applicant nor any other member of his joint family has anywhere else applied for temporary allotment of land nor have they been allotted any such land anywhere else.

(4) The applicant and/or any other member of his joint family do not hold any land in any capacity anywhere hold land the details of which are as follows :—

Area of land held	In whose name held	In what capacity held	Where situated			Whether irrigated or unirrigated
1	2	3	Village	Tehsil	District	7
Whether commanded or uncommanded						Remarks
8						9

(5) The tender receipt for Rs.....as security deposit is enclosed. This amount may be forfeited if the applicant refuses to accept the allotment of land which may be made in his favour.

(6) The applicant, therefore, requests that he may be allotted.....Bighas of Government land in villageTehsil..... District.....which he hereby undertakes personally to cultivate with the labour of his family members and himself and abide by all instructions and the terms, conditions laid down in the Rajasthan Colonisation (Temporary Cultivation Leases) Condition, 1955, as amended from time to time.

Signature of Applicant

AFFIDAVIT IN SUPPORT OF THE APPLICANT

I.....son of.... ..aged..... years..... resident ofTehsil.....District do hereby make an oath and state as follows on Solemn affirmation :—

(1) That I have applied for allotment of land to the Colonisation Tehsildar.....for temporary cultivation in the villageTehsil District

(2) That the facts contained in paragraphs (1) to (6) of the above applicationwhich has been written at my instructions, are true to my personal knowledge.

(Deponent)

Verification

I, the above named deponentdo hereby declare on oath that the contents of my affidavit are true as aforesaid; nothing material has been concealed and no part of it is false. So help me God.

Deponent

Rajasthan Colonisation (Temporary Cultivation Leases) Second Amendment Conditions, 1970.

Notification G S. R. 21, dated June 2, 1970—In exercise of the powers conferred by section 28 read with sub-section (1) and (2) of section 7 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act 27 of 1954), the State Government thereby issues the following statement of conditions further to amend the Rajasthan Colonisation (Temporary Cultivation Leases) Conditions, 1955, namely:—

1. *Short title.*—This statement of conditions shall be Called the Rajasthan Colonisation (Temporary Cultivation Leases) Second Amendment Conditions, 1970.

2. *Amendment of Condition No. 6.*—In clause (3) of Condition No. 6 of the Rajasthan Colonisation (Temporary Cultivation Leases) Conditions, 1955, hereinafter referred to as “the Conditions”—

(a) for the word ‘rules’ the word ‘Conditions’ shall be substituted;

(b) for the expression, “If there are more applicants then the number of plots available for allotment belonging to the same priority, the land shall be allotted by drawing lots amongst the said applicants the expression “The Government land available for allotment for temporary cultivation shall be allotted by drawing lots among applicants belonging to each category in the aforesaid order of priority” shall be substituted;

(c) after the proviso, the following further proviso shall be inserted, namely :—

“Provided further that if plots of land upto 10 bighas in area are available for allotment, the same shall be allotted to the extent permissible under these conditions to landless tenants holding land adjacent to such plots, with the assistance of the Advisory Committee without drawing lots. If there are more than one applicants for the same plot allotment shall be made by drawing lots among the applicants belonging to the same category.

3. *Amendment of Condition No. 14*—In Condition No. 14 of the conditions, for the words “bid has been sanctioned,” the words “allotment has been made” shall be substituted.

4. *Amendment of Condition No. 17*—In Condition No. 17 of the Conditions, for the words ‘Canal Officer’, wherever they occur, the words “Irrigation Officer” shall be substituted.

5. *Amendment of Schedule I.*—In Schedule I of the Conditions, in column No. 4 of the table given in para 2, the words “of the chak” shall be omitted.

RAJASTHAN COLONISATION ACT, 1954.

REVENUE COLONISATION DEPARTMENT

Notification No. F.3 (210) Rev/Col/67, dated October 7, 1967,—In exercise of the powers conferred by clause (ii) of section 2 of the Rajasthan Colonisation Act, 1954 (Rajasthan Act No. XXVII of 1954), the State Government hereby orders that the said Act shall apply to the area of the villages of Kota and Bundi Districts specified in the schedule below.—

SCHEDULE

S.No.	Name of District	Name of Tehsil	Name of village
1	2	3	4
1.	Kota	Ladpura	1. Bala Kund 2. Sheopura 3. Keshopura 4. Ganeshpura (Halqa Ramchandrapura) 5. Rang Bari 6. Anandpura alias Phoot Talao 7. Anandpura 8. Lakhawa 9. Khera Jagpura 10. Shambhupura 11. Daulatganj 12. Rojhari
2.	Burdi	Bundi	1. Bundi

[Pub. in Raj. Gaz. Ex- 4 (Ga)—Dt. 7-10-67—Page 595]

No. F 4 (a) (3) Rev. Col/68, dated July 19, 1968—In exercise of the powers conferred by sub-clause (a) of clause (i) of section 2 of the Rajasthan Colonisation Act, 1954 (Act No. 27 of 1954), the State Government appoints the Additional Collectors to perform all the functions and exercise all the powers of the Collector in all Districts of Rajasthan where Additional Collectors have been appointed in relation to medium and minor irrigation projects in a colony.

[Pub. in Raj. Gaz. 4 (Ga)—Dt. 1-8-68—Page 167]

Rules and Notifications under

RAJASTHAN COMMERCIAL CROPS CESS ACT, 1969. (RAJASTHAN
ACT No. 9 OF 1969)

The Rajasthan Commercial Crops Cess Rules, 1969

Revenue (B) Department

*Notification G.S.R. 39 dated 30,1969:—*In exercise of the powers conferred by section 10 of the Rajasthan Commercial Crops Cess Act, 1969 (Rajasthan Act No. 9 of 1969), the State Government hereby makes the following rules, namely:—

1. *Short title.*—These Rules may be called the Rajasthan Commercial Crops Cess Rules, 1969.

2. *Interpretation.*—In these Rules, unless there is anything repugnant in the subject or context,—

(1) “The Act” shall mean the Rajasthan Commercial Crops Cess Act, 1969.

(2) “Form” means the form appended to these rules.

3. *Preparation of Statement by Patwari.*—The patwari shall, after getting them checked, and certified from the Inspector of Land Records, submit to the Tehsildar Statements mentioned in sub-section (1) of section 4 of the Act in respect of Kharif, Rabi and Zaid Rabi Commercial Crops sown in an agricultural year by 30th November, 15th April and 30th May respectively falling in that agricultural year in Form.—I

4. *Preparation of provisional list of assessment*—(1) The provisional list of assessment of cess under sub-section (2) of section 4 of the Act, shall be prepared in Form. II

(2) The Public notice required to be given by the Tehsildar under subsection (3) of section 4 of the Act shall be in Form III. Copies of such notice shall be sent to the concerned Panchayat Samiti, Village Panchayat and Patwari, who shall give it wide publicity and a copy of the notice shall also be affixed on the notice board of the concerned Tehsil Office. The notice shall allow a week's time for inspection.

5. *Finalisation of the assessment list.*—(1) The Tehsildar shall hear objections of the person concerned if filed by him within 15 days of the last date of inspection fixed under sub-rule (2) of rule 4.

(2) The final assessment made by the Tehsildar under section 5 of the Act, shall be intimated by him to the tenant or estate-holder, as the case may be, in form IV within a week from the date of the finalisation of the assessment under the said section.

FORM I

Statement of Commercial Crops sown in Village.....
 Patwar Circle.....
 Tehsil.....Distin Kharif/Rabi/Zaid Rabi....
 Crop during agriculture year....

S. No.	Name of estate-holder or Tenant.	Khata Jama-bandi No.	Khasra No.	Soil Class
1	2	3	4	5

Area Under Commercial, Crops.

Name of Commercial Crops,	Irrigated.	Unirrigated
6	7	8

Signature of Inspector Land Records.

Signature of Patwari.

FORM II

[See rule 4 (1)]

Provisional list of assessment of cess on commercial crop Kharif/Rabi/Zaid Rabi for the agricultural year.....Tehsil District

Area under Commercial Crops

S. No.	Date of receipt of statement with S. No.	Name of Village estate-holder or tenant.	Name of the crop.	Name of Irrigated
1	2	3	4	5
				6

Provisional Assessment

Unirrigated Name of crop Amount of Commercial crops cess with Rates.

Irrigated Unirri Total
gated.

7	8	9	10	11
No. & date of notice given	Date of decision	FINAL		
		Name of crop	Irrigated	Unirrigated
				Total amount recoverable.

12	13	14	15	16	17
----	----	----	----	----	----

Assessment	Date & Signature of the Tehsildar		Remarks
No. & Date of Intimation of Demand for Recovery			
To Patwari	To T.R.A		
18	19	20	21

FORM III

[See rule 4 (2)]

No. _____ Date. _____
Public notice for inspection of the provisional list of
assessment of cess on commercial crops (Kharif/Rabi/Zaid Rabi)
in respect of agricultural year

Notice is hereby given for general information to all to
whom it may relate, that the provisional list of assessment of
cess on commercial crops (Kharif/Rabi/Zaid Rabi in respect of
village.....for the agricultural year.....has been prepared
and is ready for public inspections. This list may be inspected
by any one concerned or interested therein at Tehsil office
during office hours from...to

Signature of the Tehsildar
with date
Name of Tehsil.....

No. _____ Date _____

Copy forwarded to:—

1. Sarpanch, Village Panchayat.....
2. Patwari Circle.....
3. Panchayat Samiti

FORM IV

[See rule 5 (2)]

Intimation of final assessment of cess on Commercial
Crops (Kharif/Rabi/Zaid Rabi) in respect of the agricultural
year Tehsil..... .. District....

No. _____ Dated.....

To Shri..... (Name and full address of the Assessee).

Sub:—Levy of cess on Commercial Crops (Kharif/Rabi/
Zaid Rabi) for the agricultural year.....

Sir

I have the honour to inform you that a sum of Rs....
.....has been finally assessed on your lands under Commer-
cial Crops (Kharif/Rabi/Zaid Rabi) during the agricultural
year... ..as under:—

Khasra No.	Name of Commercial Crops.	Area	Rate	Irrigated Amount	Area	Unirrigated Rate	Amount	Total amount payable
1	2	3	4	5	6	7	8	9

You are hereby further required to please deposit the above mentioned amount of commercial crops cess alongwith land revenue with the patwari during forthcoming collection period against proper receipts.

Your Faithfully

Signature of the Tehsildar.

No.

Date.....

Copy for intimation and necessary action forwarded to the Patwari Circle.

Tehsildar.

[Pub. in Raj. Ex. 4 (Ga) (1)—Dt. 1-9-69—Page 145]

Notification under

RAJASTHAN COMMERCIAL CROPS CESS ACT, 1969

Revenue (B) Department

Notification S. O. 101, dated July 30, 1969—In exercise of the powers conferred by sub-section (3) of section 1 of the Rajasthan Commercial Crops Cess Act, 1969 (Rajasthan Act 9 of 1969) as published in the Rajasthan Gazette, Extraordinary, Part IV-A, dated the 28th April, 1969, the State Government hereby specifies the thirtieth of July, 1969, as the date from which the said Act shall come into force.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)--Dt. 30-7-69-Page 186]

Notification S. O. 102, dated July 30, 1969—In exercise of the powers conferred by the first proviso to sub-section (1) of section 3 of the Rajasthan Commercial Crops Cess Act, 1969 (Act No. 9 of 1969), the State Government hereby exempts areas under commercial crops on unirrigated lands from the levy of cess under the said Act.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)--Dt. 30-7-69--Page 186]

Revenue (B) Department

Notification S. O. 103, dated July 31, 1969—In exercise of the powers conferred by sub-section 1 of section 3 of the Rajasthan Commercial Crops Cess Act, 1969 (Act No. 9 of 1969), the State Government hereby fixes Rs. 6/-per acre as the rate of cess on all irrigated lands exceeding one acre under commercial crops during each agricultural year commencing from the agricultural year 1969-70.

[Pub. in Raj. Gaz. Ex. 4 (Ga)--Dt. 31-7-69-Page 188]

THE RAJASTHAN STATE COMMISSIONS OF INQUIRY (PROCEDURE) RULES, 1969.

Home 'A' Department

Notification G. S. R. 25, dated July 5, 1969— In exercise of the powers conferred by section 12 of the *Commissions of Inquiry Act, 1952* (60 of 1952), the State Government hereby makes the following rules, namely :—

1. *Short title and application.*—(1) These rules may be called the Rajasthan State Commissions of Inquiry (Procedure) Rules, 1969.

(2) They shall apply to Commissioners of Inquiry appointed by the State Government.

2. *Notice to persons for giving evidence.*—(1) The Commission shall, as soon as may be after its appointment,—

(a) issue a notice to every person, who in its opinion should be given an opportunity of being heard in the inquiry, to furnish to the Commission a statement relating to such matters as may be specified in the notice;

(b) issue a notification to be published in such manner as it may deem fit, inviting all persons acquainted with the subject-matter of the inquiry to furnish to the Commission a statement relating to such matters as may be specified in the notification.

(2) Every statement furnished under sub-rule (1) shall be accompanied by an affidavit in support of the facts set out in the statement sworn by the person furnishing the statement.

(3) Every person furnishing a statement under sub-rule (1) shall also furnish to the Commission along with the statement a list of documents, if any, on which he proposes to rely and forward to Commission, wherever practicable, the originals or true copies of such of the documents as may be in his possession or power and shall state the name and address of the person from whom the remaining documents may be obtained.

3. *Recording of evidence.*—(1) The Commission shall examine all the statements furnished to it under rule 2 and if, after such examination, the Commission considers it necessary to record evidence, it shall first record the evidence, if any, produced by the State Government and may thereafter record in such order as it may deem fit,—

- (a) the evidence of any person who has furnished a statement under Rule 2 and whose evidence the Commission, having regard to the statement, considers relevant for the purpose of the inquiry.
- (b) the evidence of any other person whose evidence, in the opinion of the Commission, is relevant to the inquiry.

(2) If, after all the evidence is recorded under sub-rule (1), the State Government applies to the Commission to recall any witness already examined or examine any new witness, the Commission shall, if so satisfied that it is necessary for the proper determination of any relevant fact so to do, recall such witness to examine such witness.

4. *Persons likely to be prejudicially affected to be heard.*—If at any stage of the inquiry, the Commission,—

- (a) considers it necessary to inquire into the conduct of any person, or
- (b) is of the opinion that the reputation of any person is likely to be prejudicially affected by the inquiry,

the Commission shall give that person a reasonable opportunity of being heard in the inquiry and to produce evidence in his defence.

5. *Right of cross-examination and representation by legal practitioner.*—The State Government, every person referred to in rule 4 and with the permission of the Commission, any other person whose evidence is recorded under rule 3.—

- (a) may cross-examine a witness other than produced by it or him ;
- (b) may address the court; and
- (c) may be represented before the Commission by legal practitioner, or with the consent of the commission, by any other person.

6. *Procedure in matters not provided in the rules*—The Commission shall have the power to regulate its own procedure in respect of any matter for which no provision is made in these rules.

Rules and Notifications under

CO-OPERATIVE SOCIETIES ACT, 1965.
(RAJ. ACT No. 13 OF 1965).

Raj. Co-operative Societies (Amendment) Rules, 1969.

CO-OPERATIVE DEPARTMENT

Notification G. S. R. 60, dated October 31, 1969.—In exercise of the powers conferred by section 148 of the Rajasthan Co-operative Societies Act, 1965 (Rajasthan Act 13 of 1965), the Government of Rajasthan hereby makes the following rules, having been previously published as required under sub-section (1) of the section, to amend the Rajasthan Co-operative Societies Rules, 1966, namely :—

1. Short title.—These rules may be called the Rajasthan Co-operative Societies (Amendment) Rules, 1969.

2. For rule 32 of the Rajasthan Co-operative Societies Rules, 1966 hereinafter referred to as the said rules, the following new rule shall be substituted, namely :—

“32. Election of members of Committee by the General Body,—
(1) The election of the members of the Committee of every society belonging to the following classes shall be conducted in the manner specified in this rule by an Election Officer appointed by the Registrar :—

- (a) Apex Societies;
- (b) Central Societies;
- (c) Agricultural Marketing Societies;
- (d) Primary Land Development Banks;
- (e) Consumers Co-operative Societies;
- (f) Housing Co-operative Societies;

(g) All other societies not enumerated above the Share capital of which exceeds Rs. 1 lakh;

(h) Any other societies or class of Societies which may be notified by the Registrar, from time to time in this behalf:

Provided that a society may for the purpose of election of members to its committee divide its membership into different groups on a territorial or any other basis. The bye-laws of such a society may specify the number or proportion of the members of the committee who may be elected to represent each such group on the committee and may specify further that such representative may be elected :—

(a) by all the members of the society; or

(b) by only that particular group of members of the society to which such representative belongs.

(2) The election shall be held at a general meeting of the Society of which not less than seven clear days notice shall be given to the members. The Election Officer shall commence and conduct the election; provided that at the commencement of the meeting there shall be the quorum specified in the rules or the bye-laws:

(3) (i) The notice of the general meeting shall be sent by the Election Officer to the members by one or more of the following modes, namely :—

- (a) by local delivery;
- (b) by post under certificate of posting;
- (c) by circulation among the members;
- (d) by publication through beat of drum; or
- (e) by publication through press.

Notice of the general meeting shall also be affixed to the notice board of the Society and published at such public places of importance as may be decided by the Election Officer.

(ii) the notice shall contain information regarding

- (a) the number of vacancies to be filled up by election,
- (b) any area or constituency that is specified in the bye-laws from which the members are to be elected;

(c) the qualification if any prescribed in the bye-laws for eligibility for membership of the committee;

(d) the date on which, the place at which and the hours between which nomination papers shall be filled by member, such date being not less than three clear days before the date fixed for election; or if that day is a public holiday the next succeeding day which is not a public holiday;

Explanation :—In this clause 'public holiday' means any day which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881 (Central Act XXVI of 1881); or any day which has been notified by the Government to be a holiday for the Government Offices in the State.

(c) the date on which, the place at which and the hour when the nomination papers will be scrutinized; and

(f) the date on which, the place at which and the hours between which the polling will take place.

(4) The Election Officer shall prepare a list, as it stood thirty days prior to the date fixed for the poll of members who are qualified, in accordance with the provisions of the Act, rules and the bye-laws framed thereunder to vote at the election and publish copies of the list by affixing them to the notice board at the head office of the society and all its branches not less than ten days prior to the date fixed for election. The list shall specify the admission number and name of the eligible member, and in case of individual members, the name of the father or husband and the address of such member. A copy of the list shall be supplied by the Election Officer to any member on payment of fifteen paise per folio.

(5) (i) The nomination of a candidate for election shall be made in Form No. "G". The form shall, on application, be supplied to a member on payment of such fee as may be specified by the Election Officer.

(ii) Every nomination paper shall be signed by two members whose names are included in the list referred to in sub-rule (4). One of the

members shall sign the Form as proposer and the other as seconder for the nomination. The nomination paper shall also contain a declaration signed by the candidate proposed for election to the effect that he is willing to stand for election.

(iii) Every nomination paper shall be presented in person to the Election Officer by the candidate himself or by his proposer or seconder, before the date and hour specified in the notice referred to in sub-rule (3).

(iv) (a) The Election Officer shall enter on the Nomination paper its serial number and certify the date and hour at which the nomination paper is received by him and also immediately acknowledge receipt of the nomination paper.

(b) Nomination papers received after the date and hours fixed under clause (ii) of sub-rule (3) shall be rejected.

(6) (i) (a) On the day following the date fixed for the receipt of nomination papers, the Election Officer shall take up the scrutiny of the nomination papers at the time fixed under clause (ii) of sub-rule (3). The candidates for election, their proposers or seconds may present themselves at the time of scrutiny.

(b) The Election Officer shall examine the nomination papers and shall decide all objections which may be made at the time of scrutiny and may either on such objection or on his own motion after such summary enquiry, if any, as he thinks necessary, reject any nomination for valid reasons :

Provided that the nomination of a candidate shall not be rejected merely on the ground of an incorrect description of his name or of the name of his proposer or seconder, or of any other particulars relating to the candidate or his proposer or seconder, as entered in the list of members referred to in sub rule (4), if the identity of the candidate, proposer or seconder, as the case may be, is established beyond reasonable doubt.

(ii) The Election Officer shall give all reasonable facilities to the Contesting Candidates or their representatives to examine all the nominations Papers.

(iii) The Election Officer shall endorse on each nomination paper, his decision accepting or rejecting the same and, if the nomination paper is rejected, he shall record in writing a brief statement of his reasons for such rejection.

(7) The list of valid nominations, shall be published on the notice board of the Society on the same day on which the scrutiny is completed.

(8) (i) Any candidate may withdraw his candidature by notice in writing signed by him and delivered at any time after the presentation of his nomination paper but before 5. P.M. on the day following the day on

which the valid nominations are published under sub-rule (7) to the election officer by such candidate in person. A notice of withdrawal of candidature once given shall be final.

(ii) The list of contesting candidates shall be published on the notice board of the society after the time of withdrawal is over, on the same day.

(9) If for any area or constituency for which election is to be held, the number of candidates in respect of whom valid nomination papers have been filed does not exceed the number of candidates to be elected for that area or constituency, the candidates for whom valid nominations have been received shall be deemed to have been duly elected for the area or constituency as the case may be and the names of such candidates shall be published on the notice board of the society, after the date and time fixed for withdrawal under sub-rule (8).

(10) If the number of candidates for any area or constituency for which valid nominations have been received exceeds the number to be elected, the Election Officer shall arrange for taking a poll on the date fixed for the purpose and he may appoint one or more polling officers, as may be necessary.

(11) The Election Officer shall provide the Polling Officer with the ballot boxes, ballot papers, copy of the list of members referred to in sub-rule (4) and such other articles as may be necessary for the conduct of the election. The ballot Box shall be so constructed that ballot papers can be introduced therein but cannot be taken out therefrom without the box being unlocked.

(12) A candidate contesting the election may by a letter to the Election Officer, appoint an agent to represent him at every booth where polling is held. Such letter shall contain the consent in writing of the agent concerned.

(13) Immediately before the commencement of the poll, the Election Officer or the Polling Officer as the case may be, shall show the empty ballot box to such persons as may be present at the time and shall then lock it up and place his seal upon it in such manner as to prevent its being opened without breaking the seal. The candidate or his agent may also affix his own seal, if he so desires.

(14) The ballot papers shall contain the names of the candidates and the seal of the society.

(15) Each polling station and where there is more than one polling booth at a station, each such booth shall contain a separate compartment in which the members can record their votes screened from observation.

(16) No ballot papers shall be issued to a member unless the Polling Officer is satisfied that the member concerned is the same person as noted in the list of members furnished to him.

(17) On receiving the ballot paper, a member shall forthwith proceed into the polling compartment, make the mark 'X' or '+' on the ballot paper against the name or names of the candidate or candidates for whom he desires to vote and put the ballot paper in the ballot box with the utmost secrecy.

(18) If owing to blindness or other physical infirmity or illiteracy, a member is unable to mark the ballot paper, the Election Officer or Polling Officer as the case may be, shall ascertain from him the candidate or candidates in whose favour he desires to vote, make the mark on his behalf and put the ballot paper in the ballot box.

(19) The counting of votes shall commence immediately after the polling is completed. Votes shall be counted by or under the supervision of the Election Officer. Each candidate and his authorised agent shall have a right to be present at the time of counting.

(20) (i) A ballot paper shall be rejected :—

- (a) if it bears any mark by which the member who voted can be identified; or
- (b) if it does not bear the seal of the society; or
- (c) if the mark indicating the vote thereon is placed in such manner as to make it doubtful to which candidate the vote has been cast.

(ii) The authority competent to reject a ballot paper shall be Election Officer.

(21) (i) Soon after the counting of votes is over, the Election Officer prepare and certify a return setting forth :—

- (a) total number of ballot papers issued;
- (b) the number of valid votes given to each candidate;
- (c) the number of ballot papers declared to be invalid or rejected.

On the basis of this return the candidates who have secured the largest number of valid votes shall be declared elected at the general meeting and their names shall be published on the notice board of the Society under the signatures of the Election Officer; and

(d) in case of equality of votes polled by two or more candidates lots shall be drawn in such manner of the Election Officer may fix to determine the name or names of the successful candidate or candidates.

(ii) The result of the election shall be attested by the Election officer and should also be recorded in the minute book of the society.

(22) The Election Officer shall take custody of the ballot papers. Ballot papers and other records relating to the election shall be secured in a container which shall be affixed with the seal of the Election Officer and of the candidates who desire to affix their seals. All ballot papers and other election materials so sealed and secured in a container shall be delivered by the election Officer to the Assistant Registrar of the District having jurisdiction for safe custody and preservation for a period of three months from the date of the poll. They shall be destroyed after the said period of three months, if no dispute relating to or in connection with that election is referred to the Registrar.

(23) The election of the members of the Committee of Primary Agricultural Credit Societies shall be conducted by an Election officer appointed by the Registrar in such manner as has been provided in the bye-laws of such Society under reference subject to such further instructions as the Registrar may issue in this behalf from time to time.

(24) The election of the members of the committees or such Societies as have not been specified in sub-rule (1) and (23) of this rule, shall be conducted in such manner as have been provided in their respective by laws. Provided that the Registrar may in respect of any society to which this sub-rule applies, where a Committee has not been appointed under the proviso of section 33 of the Act, appoint any person as an Election Office to conduct the election for the constitution of a committee in accordance with the bye-laws of such society. The Election Officer shall in such cases record the result of the election in the minute book of the society and attest the same.

3. For rule 33 of the said Rules the following shall be substituted, namely :—

33. Election of Chairman, Vice-Chairman etc. by members of the Committee.—(1) (i) The election of Chairman, Vice-Chairman and Secretary, Treasurer or any other officer by whatever name he is designated shall be by ballot in the manner specified in this rule.

(ii) In case of all societies specified in sub rules (1) and (23) of rule 32, the Registrar shall appoint an Election Officer to conduct the elections in the manner specified in sub-rules (2) to (8) hereunder for the office bearers mentioned in clause (i) above. In case of all other societies, such elections shall be conducted as specified in sub-rule (9);

(2) As soon as the members of the Committee have been elected, the Election Officer shall arrange to convene a meeting of the members of the Committee for the purpose of election of office bearers (other than those required to be elected in the general meeting);

(3) The nomination paper shall be presented to the Election Officer at the meeting, in the form prescribed in sub-rule (5) of rule 32. The Election Officer shall decide the objections, if any, which may be made at the time, to and nomination, after making such summary enquiry as he thinks necessary announce the name or names of the eligible candidate or candidates.

(4) Where there is not more than one valid nomination for any office, the election officer shall declare the candidate in respect of whom the nomination paper has been received duly elected to such office.

(5) Where there is more than one valid nomination for any office, the Election Officer shall forth-with arrange for taking a poll in the manner prescribed in sub-rule (13) to (18) of rule 32.

(6) As soon as all the members present have recorded their votes or the time fixed for voting is over, the Election Officer shall open the ballot box in the presence of the members, count the votes and announce the

result of election declaring the candidate or candidates elected who have secured highest votes and indicate the number of votes secured by each. In the event of equality of votes polled by two or more candidates, lots shall be drawn in such manner as may be determined by the Election Officer.

(7) The proceedings of the meeting with the result of the election shall be recorded in the minutes book of the society and attested by the Election Officer.

(8) The ballot papers and other records shall be secured in a container which shall be affixed with the seal of the society and of the candidates who desired to affix their seals and they shall be preserved for three months from the date of election. They shall be destroyed after that period, if no dispute relating to or in connection with the election is referred to the Registrar.

(9) The Election of the Chairman, Vice-Chairman, Secretary, Treasurer or any other Office bearer of Societies by whatever name he is designated belonging to classes not specified in sub-rules (1) and (23) of rule 32 shall be conducted as follows :—

(a) As soon as the members of the committee have been elected the outgoing Chairman of the Society shall arrange to convene a meeting of the members of the committee for the purpose of election of the officers.

(b) The meeting shall be presided over by the Chairman or Vice Chairman of the society, if he is not a candidate for election, or any other member not being a candidate for election chosen by the committee, or any other person authorised by the Registrar (such person being hereinafter in this rule referred to as the Presiding Officers) for the purpose.

(c) The presiding Officer shall proceed to conduct the election in the manner prescribed in sub-rules (3) to (8) of this rule; provided that all references to the Election Officer in the aforesaid sub-rules shall be deemed to be references to the Presiding Officer for purposes of this sub-rule.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (1)-Dt. 31-10-69-Page 171]

Raj. Co-operative Societies Act, 1965.

CO-OPERATIVE DEPARTMENT

Notification GSR 33, dated November 26, 1969.—In exercise of the powers conferred by clause (d) of sub-section (2) of Section 44 of the Rajasthan Co-operative Societies Act 1965 (Rajasthan Act 13 of 1965), the State Government hereby exempts Co operative Soceties from the payment of surcharge levied upon land revenue under section 3 of the Rajasthan Land Revenue (Surcharge) Act, 1960 (Rajasthan Act 16 of 1960) in respect of their agricultural lands,

[Pub. in Raj. Gaz. 4 (Ga) (I)—Dt. 11-6-70—Page 111]

CO-OPERATIVE DEPARTMENT

Notification S. O 41, dated May 30, 1969.—In exercise of the powers conferred by section 139 of the Rajasthan Coperative Societies Act, 1965 (Rajasthan Act 13 of 1965), the State Government is pleased to exempt all societies belonging to any of the classes specified in sub-rule (1) of Rule 32 of the Rajasthan Cooperative Societies Rules, 1966 from the provisions of section 33 of the said Act and direct that elections of the members of the Committee of the said societies be held in accordance with Rule 32 of the Rajasthan Coperative Societies Rules, 1966 and the bye-laws of such Society.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 30-5-69]

Rajasthan Grant subsidy (On Managerial staff) to small scale industries run by Co-operative Societies Rules, 1970

INDUSTRIES 'A' DEPARTMENT

Notification G. S. R. 180, dated, March 12, 1970.—In exercise of the powers conferred by section 8 read with clause (ob) of section 5 of the Rajasthan State Aid to Industries Act, 1961 (Rajasthan Act 25 of 1961), the State Government hereby makes the following rules for regulating the grant of subsidy to small scale Industries run by Co-operative Societies for Managerial staff engaged by them, namely:—

1. *Short title.*—These rules may be called the Rajasthan Grant of subsidy (On Managerial staff) to small scale industries run by Co-operative Societies Rules, 1970.

2. *Application.*—These rules shall apply to the grant of subsidy to small scale industries run by cooperative societies for the services of a Manager (including Technical Manager) engaged by them with a view to organise the affairs of the industry.

3. *Definitions.*—(i) 'Assistant Director' means Assistant Director of Industries and Civil Supplies, and shall include, Project Officer, Rural Industrialisation and District Industries Officer.

(ii) 'Cooperative Society' means a society constituted and registered under the Rajasthan Cooperative Societies Act, 1965 (Rajasthan Act 13 of 1965)

(iii) 'Director' means Director of Industries and Civil Supplies Rajasthan, Jaipur and shall include joint Director of Industries and Civil Supplies, Rajasthan, Jaipur.

(iv) 'Manager' means an office Manager who has received training in Cooperative management in cooperative training school within the State or outside

(v) 'Subsidy' means financial assistance granted by the Government to enable the small scale industry run by the Cooperative Society to meet the pay and allowances of the Manager/Technical Manager engaged by them,

(vi) 'Technical Manager' means a person holding a diploma from a recognised Institute in the concerned trade with atleast 2 years experience

4. *Application for subsidy* --A small scale industry run by a co-operative society, can within six months from the date of its registration or the date of raising the necessary share capital and/or working capital loan, apply to the Assistant Director concerned for the grant of subsidy in Form I under these rules; provided that a recommendation for grant of such subsidy is made by the Assistant Registrar, Cooperative Societies concerned.

5. *Extent & nature of subsidy*—The nature of subsidy shall be in the form of cash grant on the pattern given below for enabling the small scale industry run by the Cooperative Society to meet the pay and allowances of the Manager/Technical Manager, on its giving an undertaking in writing in Form II to bear its share of expenditure on the pay of the Manager/Technical Manager in the scale of Rs 200-12½-250 plus allowances eligible to Rajasthan Government Servants.

S. No.	Year	State Share of Subsidy	Share of Industry
1.	First year	100%	—
2.	Second year	75%	25%
3.	Third year	50%	50%
4.	Fourth year	25%	75%

No subsidy would be admissible after the Fourth year and the small scale industry concerned shall have to bear the expenditure for the pay and allowances of the Manager/Technical Manager whose services shall have to be retained by the small scale industry run by the cooperative society for atleast three years after the grant of subsidy is discontinued by the Government or some member of the society becomes experienced to carry on the work properly, whichever is earlier.

6. *Delegation of powers*.—The Director shall grant the aid subject to the condition laid down in Rules 4 and 5 above being fulfilled and availability of funds under appropriate heads

7. *Mode of payment*.—In the first year the amount of subsidy shall be granted to the small scale industry run by Cooperative Society, with the sanction, while the balance amount found due to the small scale industry as per pattern of assistance laid down in rule 5 above, shall be released to the society, submitting a utilisation certificate authenticated by the Assistant Registrar Cooperative Societies concerned, followed by a detailed account of expenditure audited by a Chartered Accountant in due course.

8. *Inspection and Audit*.—The Registrar may authorise Director, Assistant Director, District Industries Officer, Assistant Registrar and Accountant General, Rajasthan or any other officer to inspect books of Cooperative Societies.

9. *Misutilisation of subsidy*.—In the event the amount of subsidy is not utilised by the small scale industry run by the cooperative society for the purpose for which it is granted, the entire amount of grant shall be recovered as an arrears of land revenue in lump sum with interest at 12% per annum from the date of disbursement.

FORM I

(See rule 4)

Form of application for grant of subsidy (on managerial staff) to small scale industry run by Industrial Cooperative Societies. (Please give full information in respect of each item and in case, space is inadequate, separate sheets may attached as appendix).

1. Name and address of the Society with Tehsil and District.
2. Whether N.E.S./C.D./F.F./P.I./Blocks.
3. Number and date of registration.
4. Membership :
 - (a) (i) At the time of registration.
 - (ii) At the time of submitting loan application.
 - (b) Number of backward class members, if any.
 - (c) (i) Number of artisan members.
 - (ii) Since how long they are engaged in this industry.
Also state the experience if they have any.
 - (iii) Number of spmpathisers or other members, if any.
5. Name of the Industry/Industries conducted by the Society.
6. Name of Industry for which subsidy is applied for.
7. Number with details regarding salary etc. of the members of staff engaged or to be engaged by the Society.
8. Where does the society proposes to work ?
9. Is the Industry or business already started by the society, if so, give the date of starting the Industry/and state how the Society is functioning and/or proposes to function i. e. whether it proposes to work purely as a producer society or whether it proposes to grant loan to its members in cash or in kind and if so on what terms.
10. Capital already invested in the industry showing separately investment from societies own funds.
11. Loan outstanding with members on the date of Audit. Has any amount from this loan become over-due ?
12. Please enclose the balance sheet of the society as on last audit or 30th June preceding whichever is later and a trial balance as on the date of application giving the following information:
 - (a) Share Capital.
 - (b) Reserve Fund.
 - (c) Building Fund.
 - (d) Deposits from members.
 - (e) Profit if any.
 - (f) Accumulated loss, if any.
 - (g) Current loss, if any.
13. Assistance already Received From

	Loan	Subsidy
(i) Industries Department	"	"
(ii) Rajasthan Khadi Board	"	"
(iii) Block Authorities	"	"
(iv) Central Cooperative Bank	"	"
(v) Any other source	"	"
Total	"	"

14. Is there any paid Manager or Secretary of the Society if so state his experience.

15. (a) Date of last audit and audit classification.

(b) Date upto which the accounts of the Society have been audited.

(c) If the Society is placed in 'C' or 'B' Class indicate the reasons for the same and state the steps taken to improve the affairs of the society.

(d) Has there been any misappropriation in the Society and if so give the name of persons responsible for the same and the steps taken for recovery of his appropriated amount.

16. Please enclose a copy of the Managing Committee's resolution authorising the Chairman or Secretary of the Committee to apply for them and to receive the amount of subsidy for managerial staff on behalf of the Society.

17. Any other information.

Attestation by the Inspector
Co-operative Societies.

Signature of the member
of Managing Committee.

Signature of the Chairman of the
Society.

Signature of the Secretary of the
Society.

The request of the Society for grant of subsidy on Managerial staff has been examined and it is recommended that subsidy amounting to Rs. _____ on account of the pay of the Manager @ Rs. _____ and allowance @ Rs. _____ p. m be sanctioned.

Registrar Co-operative Societies.

District Industries Officer.

Regional Deputy Director of Industries
and Supplies.

FORM II

(See Rule 5)

Form of undertaking

I..... S/o
Resident of Tehsil/District for and on behalf of
(Name of Industry) run by the (Co-operative Society)

duly registered under the Rajasthan Co-operative Societies Act, 1965 and applied for grant of subsidy amounting to Rs..... under the Rajasthan Grant of subsidy (on managerial staff) to small scale industries run by co-operative societies Rules, 1970 to meet the pay and allowances of the Manager who is engaged @ Rs..... p. m. in the scale of Rs. 200-12½-250 plus allowances at the prescribed rates. I further promise that the industry run by the (Co-operative Societies), shall utilise the subsidy for the purpose for which it has been granted and shall abide by terms and conditions laid down in the said rules and to bear the societies share of the expenditure on the pay and allowances

of the Manager at the following scale from the funds of society meant for the industry:—

	Share of society running the industry.
1st year	Nil
2nd year	25%
3rd year	50%
4th year	75%

I further undertake on behalf of the society running the industry that in the event this subsidy or any part thereof if not utilised for the purpose, the un-utilised amount shall be refunded to the Government at the close of the financial year during which it is granted; and in case it is not refunded to the Government, the entire amount shall be treated as a loan carrying on interest @ 9% p. a. against the industry run by the society and be recovered from the society running the industry as an arrear of Land Revenue.

Signature and address
Witness No. 1
Witness No. 2

[Pub, in Raj. Gaz. Ex. 4(G) (I)—Dt. 20-3-70 Page 371 (1)]

Rules and Notifications under

COTTON GINNING AND PRESSING FACTORIES ACT, 1925.
(CENTRAL ACT No. 6 OF 1925).

Rajasthan Cotton Ginning and Pressins Factories Rules, 1953

INDUSTRIES (A) DEPARTMENT

Notification S.O. 71, dated April 23, 1969.--In exercise of the powers conferred by section 13 of the Cotton Ginning and Pressing Factories Act, 1925 (Central Act of 1925), the State Government hereby makes the following rules further to amend the Rajasthan Cotton Ginning and Pressing Factories Rules, 1953, namely:--

1. **Short title.**—These rules may be called the Rajasthan Cotton Ginning and Pressing Factories (Amendment) Rules, 1969.

2. **Amendment of rule 2A.**—In the Rajasthan Cotton Ginning pressing Factories Rules, 1953, hereinafter referred to as ‘the said rule (1) of rule 2A, the word “Jaipur” shall be deleted.

3. **Amendment of rule 5.**—In sub-rule (1) of rule 5 of the said rules, for the words “Director of Industries & Supplies, Rajasthan, Jaipur” the words “Deputy Director of Agriculture (Cotton), Rajasthan” shall be substituted.

4. **Amendment of rule 7A.**—In rule 7A of the said rules, for the words “Director of Agriculture of Rajasthan Jaipur” and “Director of Agriculture, Rajasthan”, the words “Deputy Director of Agriculture (Cotton), Rajasthan” shall be substituted.

5. **Amendment of rule 7B.**—In rule 7B of the said rules,—

(a) in sub-rule (1), for the words “Deputy Director of Industries & Supplies of the region in which the cotton was pressed”, the words “Deputy Director of Agriculture (Cotton), Rajasthan” shall be substituted, and

(b) in sub-rule (2), for the words “Director of Industries & Supplies, Rajasthan, Jaipur or Deputy Director of Industries & Supplies of the region”, the words “the Director of Agriculture or the Deputy Director of Agriculture (Cotton), Rajasthan” shall be substituted.

6. **Amendment of rule 7C.**—In rule 7C of the said rules, for the expression “(1) the joint Director of Industries & Supplies (Commercial and Large Scale Industries), Jaipur (2) the Deputy Director of Industries & Supplies of the region”, the following expression shall be substituted, namely:--

“(1) The Director of Agriculture, Rajasthan, Jaipur or the Joint Director of Agriculture (Headquarters) and (2) the Deputy Director of Agriculture (Cotton), Rajasthan”.

7. **Amendment of rule 9.**—In rule 9 of the said rules, for the words “the Director of Industries & Supplies, Rajasthan, the Deputy Director of Industries & Supplies, “the Assistant Director of Industries & Supplies”, the words ‘the Director of Agriculture, Rajasthan, the Deputy Director of Agriculture (Cotton), Rajasthan, the Deputy/Joint Director of Agriculture of the region, the Assistant Director of Agriculture in whose jurisdiction the factory lies’, shall be substituted,

. in Raj. Gaz. 4 (Ga) (II)—Dt. 4-12-69—Page 1271

Rules and Notifications under

CRIMINAL PROCEDURE CODE, 1898.
(CENTRAL ACT No. 5 OF 1898).

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CODE OF CRIMINAL PROCEDURE CODE, 1898.

Home 'A' Department

Notification No. F. 2/5 (16) H A/II/67. dated July 29, 1968—In exercise of the powers conferred by Section 196 of the Code of Criminal Procedure Code, 1898 (Act No. V of 1898) the State Government hereby empowers with immediate effect all the District Magistrates to sanction prosecutions in respect of offences u/s 153A and 295A of the Indian Penal Code, within their respective territorial jurisdiction.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 19-9-68-Page 240]

Notification under

CRIMINAL PROCEDURE CODE, 1898

Labour & Employment Department

Notification S O.147, dated October 6, 1969.—In exercise of the powers conferred by section 492 of the Criminal Procedure Code, 1898 (Central Act V of 1898) the State Government hereby appoints all Labour Inspectors, the Bonus Inspectors and the Labour Inspectors (Welfare) including Labour Inspectors (Prosecution) posted in the State of Rajasthan in virtue of their office to be the Public prosecutors to conduct all cases (except the cases investigated by them) under the Labour Acts mentioned below, in relation to industrial establishments falling within their respective jurisdictions, before the Courts of Competent jurisdiction—

1. The Industrial Disputes Act, 1947.
2. The Industrial Employment (Standing Orders) Act, 1946.
3. The Payment of Wages Act, 1936.
4. The Minimum Wages Act, 1948.
5. The Motor Transport Workers Act, 1961.
6. The Payment of Bonus Act, 1965.

[Pub. in Raj. Gaz. Ex. 4(Ga) (II)-Dt. 7-10-69]

Code of Criminal Procedure, 1898.

Notification S. O. 214, dated December 17, 1969.—In exercise of the powers conferred by sub-section (3) of section 9 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby appoints with effect from the 1st January, 1970, the following Civil Judges in virtue of his effect to be an Assistant Sessions Judge to exercise jurisdiction in the court of Sessions for the Sessions Divisions mentioned against their names;—

1. Civil Judge, Dungarpur. Udaipur Sessions Division,
 2. Civil Judge, Nagaur Merta Sessions Division
- [Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 25-12-69—Page 368]

Notification S. O. 211, dated December 17, 1969.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) the State Government hereby appoints with effect from the day of 1st January, 1970, the following Munsiffs in virtue of their office to be Magistrates of the 1st class to exercise jurisdiction within the local limits of their respective Civil jurisdiction, namely:—

- (1) Munsiff, Dungarpur.
 - (2) Munsiff, Nagaur,
- [Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 25-12-69—Page 365]

Notification S. O. 213, dated December 17, 1969.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby order that with effect from the 1st January, 1970 the following Civil Judges will cease to be Magistrates of the 1st Class.

- (1) Civil Judge, Dungarpur.
 - (2) Civil Judge, Nagaur,
- [Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 25-12-69—Page 367]

Notification S. O. 216, dated December 17, 1969.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) the State Government hereby appoints with effect from the 1st January, 1970, the Civil Judge, Churu to be the Magistrate the 1st Class for Churu Sul.-Division within which he may exercise all or any of the powers with which he is invested under the said Code.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 25-12-69—Page 370]

Rules and Notifications under

DANGEROUS DRUGS ACT, 1930 (CENTRAL ACT
No. 2 OF 1930).

Notification S. O. 217, dated December 17, 1969.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby re-defines with effect from 1st January, 1970, the territorial limits and jurisdiction of the Civil Judge-cum-Magistrate 1st Class, Ratangarh within which he may exercise all or any of the powers with which he is invested under the said Code as follows:—

Re-defined territorial jurisdiction Ratangarh Sub-Division
[Pub. in. Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 25-12-69—Page 371]

Notification S. O. 212, dated December 17, 1969.—In exercise of the powers conferred by section 37 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), read with section 39 thereof, the State Government hereby invests the following Magistrates of the First Class with effect from the 1st January, 1970 with powers under sub-section (i), Clauses (a), (b) and (c) of section 190 of the Code to be exercised by them within their respective criminal jurisdiction, namely;—

(1) Munsiff Magistrate, Dungarpur.

(2) Munsiff Magistrate, Nagaur.

[Pub. in Raj. Gaz, Ex, 4(Ga) (II)—Dt. 25-12-69—Page 366]

Notification S. O. 217, dated December 17, 1969.—In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), the State Government hereby re-defines with effect from 1st January, 1970, the territorial limits and jurisdiction of the Civil Judge-cum-Magistrate 1st Class, Ratangarh within which he may exercise all or any of the powers with which he is invested under the said Code as follows:—

Re-defined territorial jurisdiction Ratangarh Sub-Division
[Pub. in Raj. Gaz. Ex. 4 (Ga) (II) -Dt. 25-12-69-Page 371]

Notification S. O. 212, dated December 17, 1969.—In exercise of the powers conferred by section 37 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898), read with section 39 thereof, the State Government hereby invests the following Magistrates of the First Class with effect from the 1st January, 1970 with powers under sub-section (i), Clauses (a), (b) and (c) of section 190 of the Code to be exercised by them within their respective criminal jurisdiction, namely;—

(1) Munsiff Magistrate, Dungarpur.

(2) Munsiff Magistrate, Nagaur.

[Pub. in Raj. Gaz, Ex, 4(Ga) (II) -Dt. 25-12-69-Page 366]

Rules and Notifications under

DANGEROUS DRUGS ACT, 1930 (CENTRAL ACT
No. 2 OF 1930).

RAJASTHAN DANGEROUS DRUGS RULES, 1961

Finance (Excise) Department

Notification No. F. 1(12) FD/Ex/67, dated February 24th, 1968.—In exercise of the powers conferred by sub-section (2) of section 8 and clause (a) of section 35 of the Dangerous Drugs Act, 1930 (Central Act 2 of 1930), the State Government hereby makes the following amendment in the Rajasthan Dangerous Drugs Rules, 1961, the same having been previously published in Rajasthan Gazette, Part 3 (B), dated the 17th August, 1967, namely:—

Amendment

In clause (e) of sub-rule (l) of rule 21 of the said Rules, the following words shall be added after the words "as the case may be", namely:—

"and in case of a Railway Hospital, by the Divisional Medical Officer concerned".

[Pub. in Raj. Gaz. 4(Ga)—Dt. 21-3-68—Page 1085]

Rules and Notifications under

ELECTRICITY ACT, 1910.
(CENTRAL ACT No. 9 OF 1910).

INDIAN ELECTRICITY ACT, 1910.

Power Department

Order No. F.2 [81] Pow/64 dated February 6, 1968—In exercise of powers conferred by section 22B of the Indian Electricity Act, 1910 (Central Act IX of 1910) the State Government hereby makes the following amendment to this Department order No. F. 2(81) Pow./64, dated 31 st May, 1967 published in the Rajasthan Rajpatra, Part IV-C, dated 31 st May, 1967 in so far it relates to the Rajasthan State Electricity Board, namely.

Amendment

In the said order for the expression October, 1967 wherever occurring, the expression March, 1968 shall be substituted.

[Pub. in Raj Gaz. Ex. 4(Ga)—Dt. 6-2-68-Page 954]

Order No. F. 2(81) Pow /64. dated February 6, 1968.—In exercise of powers conferred by section 22B of the Indian Electricity Act, 1910 (Central Act IX of 1910) the State Government hereby makes the following amendment to this Department order No. F. 2 (81) Pow./64, dated 31st May, 1967 published in the Rajasthan Rajpatra, Part IV—C, dated 31st May, 1967 in so far it relates to the Maharana Bhupal Electric Supply Company Ltd., Upaipur, namely—

Amendment

In the said order for the expression October, 1967 wherever occurring, the expression March, 1968 shall be substituted.

[Pub. in Raj. Gaz. Ex. 4(Ga)-Dt. 6-2-68-Page 954]

THE RAJASTHAN ELECTRICITY (DUTY) RULES, 1970.

Finance (Commercial Taxes Section) Department

Notification G.S.R. 93 dated February 21, 1970—In exercise of the powers conferred by section 10 of the Rajasthan Electricity (Duty) Act, 1962, and in supersession of all existing rules made in this behalf, the State Government hereby makes the following rules, namely:—

1. *Short title*—These Rules may be called the Rajasthan Electricity (Duty) Rules, 1970.

2. *Definitions*.—In these rules, unless the subject or context otherwise requires,—

- (a) “Act” means the Rajasthan Electricity (Duty) Act, 1962;
- (b) “duty” means electricity duty payable under section 3;
- (c) “form” means a form appended to these rules;
- (d) “Government Treasury” Means a treasury or sub-treasury of the Government; and
- (e) “section” means section of the Act.

3. *Time and manner of collection and payment*.—A supplier shall include the electricity duty leviable as a separate item in the bill of charges for the energy supplied by him, and shall recover the same from the consumer with his own charges for the supply of such energy. The supplier shall, within 30 days of the expiry of the month in which the duty has been realised,—

(a) deposit such duty in the Government Treasury under the Head “XIII-Other taxes and Duties—Electricity Duty”, and

(b) send the duplicate copy of the Treasury Challan to the Commissioner or any other officer authorised by him in this behalf:

Provided that if duty has been paid by a supplier in respect of consumption of energy in excess of what is payable under the Act, the Commissioner or any other officer authorised by him in this behalf shall authorise the refund of the excess duty so paid to the consumers concerned by adjustment in subsequent bill or bills or by payment in cash where the consumer ceases to take supplies:

Provided further that even if the supplier does not, for any reason, prepare a bill for his own charges against a consumer, he shall in case duty is chargeable from such consumer,

prepare a bill for the duty and recover it in the same manner as his own charges:

Provided also that if the supplier has recovered duty from the consumer who is exempted from payment of duty under section 3, the Commissioner or any other officer authorised by him in this behalf shall authorise the refund of such duty to the consumer.

4. *Manner of calculating duty in case of enhancement, reduction or remission.*—If the rate of the electricity duty is enhanced or reduced or such duty is remitted by a notification, the duty payable or remitted in respect of the electrical energy consumed during the period between the date of coming into force of the notification and the date of the first meter reading recorded thereafter shall be computed in such proportion as the period from the date of such notification to the first meter reading thereafter bears to the total period between the date or the last meter reading before, and the first meter reading after, the date of such notification.

5. *Keeping of books of account.*—The books of account kept by a supplier under section 6 shall contain the following particulars separately for each consumer, namely :—

- (i) Service connection number;
- (ii) address and brief description of the premises to which the energy is supplied;
- (iii) number of units of energy consumed;
- (iv) rate of supply;
- (v) details and amount of electricity duty charged;
- (vi) date of repayment of electricity duty;
- (vii) details of duty adjusted in accordance with rule 3,
- (viii) date of disconnection.

6. *Submission of Returns*—A supplier shall submit to the Commissioner or any other officer authorised by him in this behalf,—

- (a) a return in duplicate in Form I within 30 days from the date of expiry of the quarter to which the return pertains; and
- (b) a return in duplicate, in Form II, within two months of the close of the financial year.

7. *Inspection of books of account.*—The Commissioner or Deputy Commissioner, Commercial Taxes (Administration) or Commercial Taxes officer having jurisdiction may, at any time, require a supplier to produce for inspection at the registered or other office of the supplier such books and records in his possession or control as may be necessary for ascertaining or verifying the amount of electricity duty chargeable under the Act.

8. *Power of entry of Officers.*—The Commissioner or the Deputy Commissioner, Commercial Taxes (Administration) or Commercial Taxes Officer having jurisdiction may enter any premises where energy is, or is believed to be supplied by a supplier for the purpose of -

- (i) verifying the statements made in the books of accounts kept and returns submitted by the supplier;
- (ii) checking the readings of the meters; and
- (iii) verifying the particulars required in connection with the levy of electricity duty,

9. *Other duties of officers.*—The Commissioner or the Deputy Commissioner, Commercial Taxes (Administration) or Commercial Taxes Officer having jurisdiction shall, as often as may be necessary, inspect the books of accounts kept and returns submitted by a supplier under Rules 5 and 7 respectively and apply such test as may be deemed by him necessary to individual entries for verifying the particulars noted by the supplier, so far as they are connected with the levy of duty. He shall also verify all entries relating to-

- (i) exemption from duty, and
- (ii) adjustments allowed by the supplier.

10. *Provision of separate meters.*—Where there is a combined installation using energy and part of a supply of energy is dutiable and part is exempt the consumer shall install and maintain additional, suitable and correct meter or sub-meter to register the quantities of two kinds of consumption separately.

11. *Disputes between the supplier and the consumer.*—In the case of a dispute between a supplier and a consumer regarding the liability of the consumer for the payment of the duty or exemption therefrom, the Commercial Taxes Officer, having jurisdiction shall decide the matter. An appeal against the order of the Commercial Taxes Officer shall lie within three months from the date of the order to the Deputy Commissioner, Commercial Taxes (Appeals).

12. *Composition.*—The Deputy Commissioners, Commercial Taxes (Administration) shall, within their respective jurisdiction, be the prescribed authority for the purposes of section 9.

FORM "I"

Return showing information regarding energy supplied to consumers, electricity duty charged thereon, recovered and paid to Government for the quarter ending

1. Name of the undertaking.....
2. Total units generated
3. Total units supplied.....
4. Exempted units,

Categories of consumers eligible for exemption.	Total Units supplied to consumers in Column (1),	Units consumed out of the supply in Col. (2) in any buildings or parts of buildings/premises used for commercial or residential purposes.	Units exempted difference of units in Cols. (2) and (3)

1

2

3

4

- (a) by the Government of India.
- (b) in the construction, Maintenance or operation of any Railway by the Government of India.
- (c) by a cultivator in agricultural operations carried on in, or near his field such as pumping of water for irrigation, crushing, milling or treating of produce of those fields or chaff cutting,
- (d) by hospitals or dispensaries which are not maintained for private gain-
- (e) by recognised educational institutions.
- (f) by places of public worship.
- (g) by a consumer in any industry in the manufacture, production, processing or repair of goods.
- (h) by or in respect of any mine as defined in the Indian Mines Act.

Total Units Exempted

Rs.

5. Net number of units dutiable (3 minus 4 i. e. the difference of "total units supplied" and "total units exempted")

6. Amount of electricity duty for units shown at 5 above.....

Rs.

7. Plus : Recoveries made from consumers disconnected.

Rs.

8. Plus : Outstanding dues from previous returns and portion thereof since recovered.

Rs.

9. Less: Refunds or adjustments on account of write off of irrecoverable

dues etc., allowed as per schedules attached.

Rs.

10. Less: Recoverable outstanding against consumers disconnected. Rs.

11. Amount of duty refunded under Rule 3, vide Schedule I attached Rs.

12. Amount written off under Rule 5, vide Schedule II attached Rs.

15. Amount paid into Treasury-Treasury Challan No. dated.... Rs.

SCHEDULE I TO FORM 'I'

Amount of electricity duty refunded under Rule 3, during the quarter ending.... Name of the undertaking.....

Serial No.	Service Connection No.	Name and address of the consumer.	Amount of duty refunded.
1	2	3	4 Rs.
Ledger Account No.	Commissioners sanction No.	Reference	Remarks
	Dated.....		
5	6	7	

SCHEDULE II TO FORM 'I'

Amount of electricity duty written off under Rule 5 for the quarter ending Name of the undertaking.....

Serial No.	Service connection No.	Name and address of the consumer.	Amount of duty written off
1	2	3	4 Rs.
Ledger account No.	Government sanction No.	Reference	Remarks
	Dated.....		
5	6	7	

FORM II

Return of electricity duty for the year ending March, 31, 197.

1. Name of the undertaking.....
2. (i) Amount shown outstanding in the previous return as on 31st March, 197.... Rs.
- (ii) Add: Total amount of duty billed for the year as per column 2 of the Schedule attached hereto.... Rs.

Total of (i) & (ii)

3. Less :—

- (i) Total amount paid to Government for the year as per column 3 of the Schedule attached hereto.... Rs.
- (ii) Refunds as per column 4 of the Schedule attached hereto.... Rs.
- (iii) Written off as per column 5 of the Schedule attached hereto.... Rs.
- (iv) Adjustment as per column 6 of the Schedule attached hereto.... Rs.

Total of (i) to (iv) Rs.

Rs.

Balance outstanding as on 31st March, 19..... (2-3).....

SCHEDULE TO FORM II

Name of the undertaking....

Year 197....	Amount of duty billed to Govern- 197 vide rule 3	Amount paid to Govern- ment vide rule 3	Refunds vide rule 3	Written off, vide rule 6	Adjust- ment.
months	1	2	3	4	5
					6

April

May

June

July

August

September

October

November

December

January

February

March

Total

RAJASTHAN ELECTRICITY (DUTY) ACT, 1962.

Finance Department

(Commercial Taxes Section)

Notification No. F. 9 (1) FD (CT)/68, dated March 8, 1960.—

In exercise of the powers conferred by proviso (3) to section 3 of the Rajasthan Electricity (Duty) Act, 1962 (Rajasthan Act, 12 of 1962), the State Government being of the opinion that it is expedient in the public interest to do so, hereby remits the electricity duty on the energy consumed in the manufacture, production, or processing of goods in Rajasthan in a new industry, or in the additional installed capacity commissioned by any industry, for such manufacture, production, or processing, provided the consumer claiming such remission.

(a) commissions such industry or such additional installed capacity between the date of issue of this notification and 31st March, 1974.

(b) holds a Remission Certificate issued by the Commercial Taxes Officer concerned in this behalf; and

(c) complies with the requirement of rule 12 of the Rajasthan Electricity (Duty) Rules, 1962;

And the State Government further directs that the remission granted under this notification shall remain in force only for a period of seven years from the date of commissioning of the industry, or of the additional installed capacity, as the case may be.

This shall have immediate effect.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 8-3-68—Page 1065]

Commercial Taxes Department.

*Notification G. S. R. 18, dated May 27 1970.—*In exercise of the powers conferred by clause (1) of the proviso to section 3 of the Rajasthan Electricity (Duty) Act, 1962 (Rajasthan Act 12 of 1962) the State Government hereby fixes 15 paise per unit as the rate at which duty shall be computed for purpose of the said clause.

[Pub. in Raj Gaz. Ex. 4 (Ga) (I)—Dt. 2-5-70—Page 69.]

Commercial Taxes Department

*Notification S. O. 156, dated October 17, 1969.—*In pursuance of the first and third proviso to Rule 3 of the Rajasthan Electricity (Duty) Rules, 1962 and in supersession of this department notification No F.10 (E Duty) 64/181 dated the 5th October 1964. I Ram Singh Commissioner, Commercial Taxes Department, Rajasthan, hereby authorise all the Officers of the Electricity Board or the Supplying Companies responsible for the issue of electric bills to consumers, for the purpose of refund of Electricity Duty under the said provisos.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 17-10-69]

THE RAJASTHAN ELECTRICITY (DUTY) (FIRST AMENDMENT) RULES, 1970.

Notification G.S.R, 17, dated May 27, 1970—In exercise of the powers conferred by section 10 of the Rajasthan Electricity (Duty) Act, 1962 (Rajasthan Act 12 of 1962), the State Government hereby makes the following rules to amend the Rajasthan Electricity (Duty) Rules, 1970, namely :—

1. These Rules may be called the Rajasthan Electricity (Duty) First Amendment) Rules, 1970.

2. In the Rajasthan Electricity (Duty) Rules, 1970, after rule 3, the following new rule shall be added, namely :—

“3A. Temporary Connection for a certain period for a certain purpose and consumption exceeding certain units of chargeable at a higher rate duty.—The duty in respect of consumption of energy under temporary connection obtained by a consumer from the supplier for lighting purposes, for a period not exceeding 30 days, when such consumption exceeds 25 units shall be computed at the rate fixed under clause (1) of the proviso to section 3.”

[Published in Raj. Gaz. Ex. 4 (Ga) (1) Dt. 2.5.70 P. 68.]

Rules and Notifications under
EMPLOYEES' STATE INSURANCE ACT, 1948.
(CENTRAL ACT No. 34 OF 1948.)

Notifications under

'EMPLOYEES' STATE INSURANCE ACT, 1948.

*Notification No F. 7 (I2) Lab/61. dated January 22, 1968:—*In exercise of the powers conferred by section 87 of the 'Employees State Insurance Act, 1948 (34 of 1948), the Governor of Rajasthan hereby exempts for a further period of one year with effect from 1st October, 1967 upto the inclusive of 30th September, 1968 from the operation of the said Act, except Chapter V-A thereof, every factory.—

- (a) Which is situated in any areas in which Chapter IV & V of the said Act in force and
- (b) Which is exclusively engaged in one or more of the manufacturing processes specified in column (1) of the Table annexed hereto or any other manufacturing process which is incidental to or connected with any of the aforesaid processes, or in any other manufacturing process carried on in a seasonal factory of the nature referred to in clause (12) of section 2 of the said Act, subject to the conditions specified in the corresponding entry in column (2) of the said table.

TABLE

Name of the manufacturing process 1	Conditions 2
1. Redrying un-manufactured leaf	Provided that the process of Oil Milling is subsidiary to any other manufacturing process which is seasonal and so long is seasonal and so long as the number of employees engaged in Oil Milling is less than 50.
tobacco 	
2. Rice Milling 	
3. Cold Storage 	
4. Salt Manufacture 	
5. Oil Mills 	
6. Ice Manufacture 	

Labour And Employment Department

Notification G. S. R. 22. dated June 5, 1970—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act 24 of 1948) and after considering the representation of the Employees' State Insurance Corporation, the state Government hereby exempts the factories engaged in wool pressing, either with or without cotton pressing and ginning, throughout the State of Rajasthan, from the operation of the Act for a period of one year from the 1st day of January, 1970 to the 31st day of December, 1970 (both days inclusive).

[Pub. in Raj. Gaz. Ex. 4 (Ga)(I)Dt. 5-6-70 Page 89]

Labour And Employment Department

Notification S. O. 141 dated September 26, 1969.--In exercise of the powers conferred by section 88 of Employees' State Insurance Act, 1948 (34 of 1948), the Government of Rajasthan hereby exempts regular Government Employees of the Agriculture Workshop, Jhotwara from the provisions of the said Act except Chapter V-a thereof, for a period of one year from the date of issue of this notification, on the following condition:—

1. that the factory where the employees are employed shall maintain a register showing the names and designations of the exempted employees; and,

2. that notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)--Dt. 26-9-69 Page 241]

EMPLOYEES' STATE INSURANCE GENERAL REGULATIONS, 1950,

Labour & Employment Department

Notification S. O. 124, dated August 30, 1969.—In exercise of the powers conferred by regulation 76 of the Employees' State Insurance (General) Regulations, 1950, the State Government, in consultation with the Employees' State Insurance Corporation, hereby constitutes a Medical Appeal Tribunal for the Jaipur District including Jaipur City and further directs that the said Tribunal shall consist of the Labour Commissioner-cum-Workmen's Compensation Commissioner, Rajasthan Jaipur.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)-Dt. 30-8-69]

Labour & Employment Department

Notification S. O. 31, dated May 14, 1970.—In exercise of the powers conferred by regulation 76 of the Employees' State Insurance General Regulation, 1950, the State Government, in consultation with the Employees' State Insurance Corporation, hereby makes the following amendment in this Department Notification No. S. O. 124, dated the 30th August, 1969, published in the Rajasthan Gazette, Extraordinary, dated the 30th August, 1969, namely —

AMENDMENT

In the said Notification, for the words "Jaipur District including Jaipur City" the words "whole of Rajasthan with its headquarters at Jaipur" shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga.) (II)-Dt. 15-5-70]

Labour & Employment Department

Notification G. S. R. 78, dated December 24, 1969.—In pursuance of the provisions of Regulation 76 of the Employees State Insurance (General) Regulations, 1950, the State Government, in consultation with the Employees' State Insurance Corporation, hereby directs that the Medical Appeal Tribunal constituted under this Department Notification of even number dated the 30th August, 1969, shall follow the following procedure in the disposal of appeals.—

1. The Tribunal shall be assisted by assessors to be selected by the tribunal from amongst the following persons, namely.—

(a) One or more medical experts out of the following.—

1. Shri P. D. Mathur
2. Shri L. P. Sharda
3. Shri G. C. Sharma
4. Shri P. K. Sethi
5. Shri M. P. Mathur
6. Miss Chandrawati Saxena.

(b) One or more officials or members of a Trade Union or Unions.—

1. Shri Damodar Morya
2. Shri D. Durgawat
3. Shri Viswanathan

2. An appeal preferred against the decision of a Medical Board shall be heard by the tribunal in the presence of the assessors selected under clause 1. The tribunal shall give notice of the date of hearing of the appeal to both the parties as also to the assessors so selected. The tribunal may after hearing the appellant and defendant, if present, and after recording the opinion of the assessors as may be present at the time of hearing, by an order in writing vary, set aside or confirm the order appealed against and may also award costs to or against the person filing the appeal.

3. The tribunal shall hold its sittings in the office of the Labour Commissioner, Rajasthan at Jalehi Chowk, Jaipur, in the afternoon of every alternate Saturday.

[Pub. in Raj. Gaz. Ex 4 (Ga) (I)-Dt. 24-12-69 Page-253]

Notifications under

ENTERTAINMENTS & ADVERTISEMENTS TAX ACT, 1957.

Notification S. O. 49. dated March 24, 1969.—In exercise of the powers conferred by sub-section (2) of section 7 of the Rajasthan Entertainments and Advertisements Tax Act, 1957 (Act No. 24 of 1957), the State Government, being of the opinion that reasonable grounds exist for doing so in the public interest hereby exempts from the levy of Entertainments tax (including Additional Entertainments Tax) under section 4 and 6 A of the said Act, the cultural programmes and stage performances which may hereafter be organised specially for raising funds for the Rajasthan Chief Minister's Drought and Flood Relief Fund provided that the organisers of such programmes submit to the Commercial Taxes Officers concerned within a period of 15 days of the date on which the show or performance is held a statement of account showing that all sale proceeds have been donated to the Fund.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 24-3-69 Page 1194]

Notification S. O. 50. dated March 24, 1969.—In exercise of the powers conferred by sub-section (2) of section 7 of the Rajasthan Entertainments and Advertisements Tax Act, 1957 (the State Government being of the opinion that reasonable grounds exist for doing so in the public interest hereby cancels the Finance (Revenue and Economic Affairs) Department Notification No. F 7 (1)E&T/ 62, dated the 31 st October, 1962 with effect from the date of the publication of this Notification.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 24-3-69-Page 1195]

Rules and Notifications under
ESSENTIAL COMMODITIES ACT, 1955.
(CENTRAL ACT No. 10 OF 1955).

BIKANER DISTRICT CATTLE FODDER (SALE OF STOCKS AND PROHIBITION OF EXPORT) ORDER, 1968.

RELIEF DEPARTMENT

Notification No. ESS. Com./Fodder/Rajasthan, dated February, 24, 1968.—Whereas the Collector, Bikaner District, is of opinion that it is necessary so to do for maintaining and securing supplies of fodder at fair price and for controlling movement of fodder within and outside the District of Bikaner.

Now, therefore, in exercise of the powers conferred under sub-clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the notification of the Government of India in the Ministry of Food Agriculture, Community Development and Co-operation (Department of Agriculture), Published under S.O. No. 69, dated the 5th January, 1968, in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 5th January, 1968, the Collector of District Bikaner makes the following order, namely:—

1. *Short title, commencement and extent.*—(1) This order may be called the Bikaner District Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1968.

(2) It shall come into force and shall remain in force upto 31st March, 1968.

(3) It shall extend to the whole of the District of Bikaner.

2. *Definitions.*—In this order, unless the context otherwise requires,—

(a) “Cattle Fodder” means cattle fodder as mentioned in the Schedule;

(b) “Collector” means the Collector of District Bikaner appointed under section 20 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) and includes Additional Collector or the Sub-Divisional Officer at the headquarter of the said District;

(c) “District” means the District of Bikaner;

(d) “Export” means to take or cause to be taken from any place in the District to any place outside it;

(e) “Schedule” means a Schedule appended to this order

3. *Sale.*—Every person holding stock of a cattle fodder shall, when required by the Collector by a direction in writing, sell and deliver to such person such quantities of stocks of cattle fodder held or possessed by him at any time in excess of his bonafide personal requirement at a price to be determined by the Collector on the basis of the average price of cattle fodder prevailing in November, 1967, as specified in the said direction.

4. *Prohibition of Export of cattle fodder.*—No person shall export, or attempt to export, or abet the export of a cattle fodder either directly, or through his agent, or servant, or any other person acting on his behalf except under and in accordance with a permit issued in this behalf by the Collector.

5. *Saving*.—Nothing contained in clause 4 shall apply to the export, transport or movement of cattle fodder, as the case may be :—

- (i) on Government account;
- (ii) under and in accordance with Military Credit Notes.
- (iii) not exceeding 5 quintals in weight by a bona fide traveller as part of his luggage.

6. *Powers to call for information etc.*—The Collector may with a view to secure compliance with this order or for satisfying himself that any Order or direction under this Order is complied with, require and stock holder to furnish such information as may be required.

7. *Powers of entry, search, seizure etc.*—(1) Any Police Officer not below the rank of Head Constable, District Supply Officer, Junior District Supply Officer, Enforcement Officer, Enforcement Inspector, any Forest Officer not below the rank of Head Guard, or any officer of the Revenue Department may, with any assistance as he thinks fit. with a view to secure compliance of this order or to satisfy himself that this order has been complied with,—

- (i) stop and search any person, boat, motor or any vehicle or receptacles used or intended to be used for the transport or movement of cattle fodder;
- (ii) enter, inspect or break open and search any place, boat, motor, or any vehicle used or intended to be used in contravention of the provisions of this order;
- (iii) Seize any cattle fodder in respect of which he suspects that any provision of this order has been, is being or is about to be contravened alongwith the packages coverings or receptacles in which such cattle fodder is found or the animals, vehicles, vessels, boat or conveyance used in carrying such cattle fodder and thereafter take or authorise the taking of all such measures necessary for securing the production of the packages, coverings receptacles, animals, vehicles, vessels, boats or conveyance so seized in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act V of 1898) relating to search and seizure shall, so far as may be apply to searches and seizures under the clause.

THE SCHEDULE

Hay,
Bhusa,
Karab, Kurbi, or Kadbi,
Grass,
Moth Chara.

Raj. Cattle Fodder (Sale of Stocks & Prohibition of Export) Order, 1968.

Relief Department

Notification No. Essen-Com/Fodder/Rajasthan/F. 5 (5) RC/Fodder/68, dated September 13, 1968.—Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State.

Now, therefore, in exercise of the powers conferred under sub-clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) the State Government makes the following order, namely :

1. *Short title, Commencement and extent.*—(1) This order may be called the Rajasthan Cattle Fodder (Stocks and Prohibition of Export) Order, 1968.

(2) It shall come into Force at once.

(3) It shall extend to the whole of the State of Rajasthan.

(4) This order shall remain in force up 31st October, 1968.

2. *Definitions.*—In this order, unless the context otherwise requires :—

(a) “Cattle Fodder” means cattle fodder as mentioned in the Schedule.

(b) “Government” means the Government of Rajasthan.

(c) ‘Export’ means to take or cause to be taken from any place in the State of Rajasthan to any place outside it.

(d) “Direction” means a direction issued under clause 3 of this order.

(e) “Collector” means the Collector appointed under section 20 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) and includes Additional Collector or the Sub-Divisional Officer at the headquarters of the district authorised by the Collector to act on his behalf.

(f) “External border area” means the area within the 10 miles belt all along the border of the State of Rajasthan adjoining the territory of West Pakistan.

(g) “Internal border area” means the area within the State of Rajasthan lying within the 10 miles belt all along the border of the State adjoining the State of Punjab, Hariyana, Uttar Pradesh, Madhya Pradesh and Gujarat.

(h) “Schedule” means the schedule appended to this order.

(i) "Specified district" means the district which the Government may, by notification in the Official Gazette specify for the purpose of controlling the movement of cattle fodder:

3. *Sale*.—Every person holding stock of cattle fodder shall when required by the Collector by a direction in writing, sell and deliver to such person such quantities of stocks of cattle fodder held or possessed by him at any time in excess of his bonafide personal requirement at a price to be determined by the Collector on the basis of the average price of cattle fodder prevailing in June, 1968 as specified in this said direction.

4. *Prohibition of Export of Cattle Fodder*.—No person shall export, or attempt to export or abet the export of cattle fodder either directly, or through his agent, or servant or any other person acting on his behalf except under and in accordance with a permit issued in this behalf by the Government.

5. *Prohibition of Movement from Specified Districts*.—No person shall move, attempt to move or abet the movement of cattle fodder from any place in any specified districts to any place outside such district, except under and in accordance with the permit issued by the Government or by the Collector of such district if, authorised in this behalf by the Government.

6. *Restriction on the movement of cattle fodder to, from or within the External Border Area*.—No person shall transport, attempt to transport or abet the transport of cattle fodder either directly or through his agent or servant or any other person acting on his behalf :—

(a) to any place in the external border area from any place outside that area, or

(b) from any place in the external border area to any other place in that area, except under and in accordance with a permit issued by the Government or any other officer authorised by the Government in this behalf.

7. *Restriction on the movement of cattle fodder to or within the Internal Border Area*.—No person shall transport, attempt to transport or abet the transport of cattle fodder either directly or through his agent or servant, or any other person acting on his behalf :—

(a) to any place in the internal border area to any place outside that area, or

(b) from any place in the internal border area to any other place in that area, except under and in accordance with a permit issued by the Government or any other officer authorised by the Government in this behalf.

8. *Savings*.—Nothing containing in clauses 4, 5, 6 and 7 shall apply to the export, transport or movement of cattle fodder as the case may be :—

- (i) On Government account ;
- (ii) Under and in accordance with Military Credit Notes;
- (iii) Not exceeding 10 Kilograms in weight by a bonafide traveller as part of his luggage;
- (iv) Transport or movement within the same town or village in the external or internal border area;
- (v) From a village in the external or internal border area to the nearest depot or place in the State of Rajasthan where such depot or place is within the or outside such areas;
- (vi) Not exceeding one quintal in the aggregate at any one time by a bonafide resident of any of the said border areas for domestic consumption.

9. *Powers to call for information, etc.*—The Government or any other person authorised by the Government may, with a view to secure compliance with this order or for satisfying itself or himself that any order or direction in this order is complied with, require any stock holder to furnish such information as may be required.

10. *Powers of entry, search, seizure etc.*—(1) Any Police Officer not below the rank of Head Constable, District Supply Officer, Assistant District Supply Officer, Enforcement Officer, Enforcement Inspector, Commercial Taxes Officer, Assistant Commercial Taxes Officer, Commercial Taxes Inspector or any Forest Officer not below the rank of Head Guard, any Officer of the Revenue Department or any other person authorised in this behalf by the Collector may with any assistance as he thinks fit with a view to secure compliance with this order or to satisfy himself that this order has been complied with :—

(i) Stop and search any person boat, motor or any vehicle or receptacle used or intended to be used for the transport or movement of cattle fodder ;

(ii) Enter, inspect or break open and search any place, boat, motor or any vehicle used or intended to be used in contravention of the provisions of this order;

(iii) Seize any cattle fodder in respect of which he suspects that any provision of this order has been, is being or is about to be contravened alongwith the packages, coverings or receptacles in which such cattle fodder is found or the animals, vehicles, vessels, boats or conveyances used in carrying such cattle fodder and thereafter take or authorise the taking of all such measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances, so seized in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act V of 1898), relating to search and seizure shall so far as may be, apply to searches and seizures under this clause.

SCHEDULE

1. Hay
2. Bhusa
3. Karab or Kurbi or Kadbi
4. Grass
5. Moth-Chara
6. Guar

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 31-9-68—Page 481]

Relief Department

Notification No. Ess. Comm./Fodder/Rajasthan/F. 5(5) RC/Fodder/68, dated October 30, 1968.—Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State;

Now, Therefore, in exercise of the powers conferred under clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture Community Development and Cooperation (Department of Agriculture) S. O. No. 24-7-67 L. D. III dated the 14th October, 1968, the State Government hereby makes the following Order to amend the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1968, namely :—

1. *Short title.*—This Order may be called the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) (Amendment) Order, 1968.

2. *Amendment of sub-clause 4 of clause 1 of the Order.*—In sub-clause 4 of clause 1 of the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Exports) Order, 1968 (hereinafter referred to as the “said Order”), the words and figures “31st October 1968” shall be substituted by the words and figures 31st March, 1969”.

3. *Amendment of Schedule of the Order.*—For the Schedule to the said Order the following Schedule shall be substituted, namely :—

“SCHEDULE

1. Hay.
2. Bhusa.
3. Karab or Karabi or Kadbi.
4. Moth chara
6. Moth churi.
5. Gram chhilka.
7. Gram churi.
8. Wheat chapet.
9. Barley husk.
10. Rice husk.
11. Gowar and its products.”

[Pub. in Raz. Ex. 4 (Ga)—Dt. 30-10-68—Page 593]

RAJASTHAN CATTLE FODDER (SALE OF STOCK AND PROHIBITION OF EXPORT) ORDER, 1968.

Relief Department

Notification No. Ess. Comm/Fodder Raj/F. 5 (5) RC/Fodder/68-69/1055, dated January 16, 1969.—Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State;

Now, therefore, in exercise of the powers conferred under clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Agriculture) S. O. No. 24-7/67-L D. III, dated the 14th October, 1968 and 3rd December, 1968, the State Government hereby makes the following Order to further to amend the Rajasthan Cattle Fodder (Sale of Stock and Prohibition of Export) Order, 1968, namely :—

1. Short title.—This Order may be called the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) (Amendment) Order, 1969.

2. Amendment of Schedule.—In the Schedule to the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1968, after item No. 11, the following new item shall be added, namely ;—

“12 Moth”.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-Dt. 16-1-69 —Page, 735]

Relief Department

Notification S. O. 56, dated March 31, 1969 —Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State;

Now, therefore, in exercise of the powers conferred under clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Agriculture), the State Government hereby makes the following Order to amend the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1968, namely :—

1. Short title.—This Order may be called the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) (Amendment Order, 1969.

2. Amendment of sub-clause 4 of clause 1 of the Order.—In sub-clause 4 of clause 1 of the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Exports) Oorder 1968 (hereinafter referred to as the “said Order”), the words and figures 31st March, 1969 shall be substituted by the words and figures 30th August, 1969.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 31-3-69—Page 1209]

- (vi) not exceeding one quintal in weight in the aggregate at any one time by a bonafide resident of any of the said border areas for domestic consumption.

9. Powers to call for information etc.—The Government or any other person authorised by the Government may, with a view to secure compliance with this order or for satisfying itself or himself that any order or direction in this order is complied with, required any stock holder to furnish such information as may be required.

10. Powers of entry, search, seizure etc.—(1) Any Police Officer not below rank of Head Constable, District Supply Officer, Asstt. District Supply Officer, Enforcement Officer, Enforcement Inspector, Commercial Taxes Officer, Assistant Commercial Taxes Officer, Commercial Taxes Inspector or any Forest Officer not below the rank of Head Guard; any Officer of the Revenue Department or any other person authorised in this behalf by the Collector may, with any assistance as he thinks fit, with a view to secure compliance with this order or to satisfy himself that this order has been complied with :—

- (i) Stop and search any person, boat, motor or any vehicle or receptacle used or intended to be used for the transport or movement of cattle fodder;
- (ii) Enter, inspect or break open and search any place, boat, motor or any vehicle used or intended to be used in contravention of the provisions of this order;
- (iii) Seize any cattle fodder in respect of which he suspects that any provisions of this order has been, is being or is about to be contravened alongwith the packages, coverings or receptacles in which such cattle fodder is found or the animals, vehicles vassels boats or conveyances used in carrying such cattle fodder and thereafter take or authorise the taking of all such measures, necessary for securing the production of the packages, coverings receptacles, animals vehicles, vessels, boats or conveyances, so seized in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act V 1898), relating to search and seizure shall so far as may be, apply to searches and seizures under this clause.

SCHEDULE

- 1. Hay
- 2. Bhusa
- 3. Karab or Karabi or Kadbi
- 4. Moth
- 5. Moth Chara
- 6. Moth Churi
- 7. Gram Churi
- 8. Wheat Chapat
- 9. Barley Husk
- 10. Rice Husk
- 11. Gowar and its products.

RAJASTHAN CATTLE FODDER (SALE OF STOCKS AND PROHIBITION OF EXPORT) ORDER, 1969.

Relief Department

Notification S. O. 129, dated September 5, 1969.—Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State,

Now, therefore, in exercise of the powers conferred under sub-clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955, (Central Act 10 of 1955), the State Government makes the following order, namely:—

1. Short title, commencement and extent.—(1) This order may be called the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1969.

(2) It shall come into force at once.

(3) It shall extend to the whole of the State of Rajasthan.

(4) This order shall remain in force upto 31st December, 1969.

2. Definitions.—In this order, unless the context otherwise requires:—

(a) "Cattle Fodder" means cattle fodder as mentioned in the Schedule.

(b) "Government" means the Government of Rajasthan.

(c) "Export" means to take or cause to be taken from any place in the State of Rajasthan to any place outside it.

(d) "Direction" means a direction issued under clause 3 of this order.

(e) "Collector" means the collector appointed under section 20 of the Rajasthan Land Revenue Act, 1956 (Act No. 15 of 1956) and includes Additional Collector or the Sub-Divisional Officer at the headquarters of the district authorised by the Collector to act on his behalf.

(f) "External border area" means the area within the 10 miles belt all along the border of the State of Rajasthan adjoining the territory of West Pakistan.

(g) "Internal border area" means the area within the State of Rajasthan lying within the 10 miles belt all along the border of that State adjoining the States of Punjab, Hariyana, Uttar Pradesh, Madhya Pradesh and Gujrat.

(h) "Schedule" means the schedule appended to this order.

(i) "Specified district" means the district which the Government may, by notification in the Official Gazette, specify for the purpose of controlling the movement of cattle fodder.

2 Raj Cattle Fodder (Sale of Stocks and Prohibition of Ex. Order, 1969.

3. Sale.—Every person holding stock of cattle fodder shall when required by the Collector by a direction in writing, sell and deliver to such person such quantities of stocks of cattle fodder held or possessed by him at any time in excess of his bonafide personal requirement at a price to be determined by the Collector on the base of the average price of cattle fodder prevailing in June, 1968 as specified in the direction.

4. Prohibition of export of cattle fodder.—No person shall export, or attempt to export or abet the export of cattle fodder either directly, or through his agent, or servant, or any other person acting on his behalf except under and in accordance with a permit issued in this behalf by the Government.

5. Prohibition of movement from specified Districts.—No person shall move, attempt to move or abet the movement of the cattle fodder from any place in any specified districts to any place outside such districts, except under and in accordance with the permit issued by the Government or by the Collector of such district, if authorised in this behalf by the Government.

6. Restriction on the movement of cattle fodder to from or within the external border area.—No person shall transport, attempt to transport or abet the transport of cattle fodder either directly or through his agent or servant or any other person acting on his behalf;—

- (a) to any place in the external border area from any place outside that area, or
- (b) from any place in the external border area to any other place in that area, except under and in accordance with a permit issued by the Government or any other Officer authorised by the Government in this behalf.

7. Restriction on the movement of cattle fodder to or within the internal border area.—No person shall transport, attempt to transport, or abet the transport of cattle fodder either directly or through his agent or servant, or any other person acting on his behalf:—

- (a) to any place in the internal border area from any place outside that area or
- (b) from any place in the internal border area to any other place in that area, except under and in accordance with a permit issued by the Government or any other officer authorised by the Government in this behalf.

8. Savings —Nothing containing in clauses, 4, 5, 6 and 7 shall apply to the export, transport or movement of cattle fodder as the cases may be—

- (i) on Government account;
- (ii) under and in accordance with Military Credit Notes;
- (iii) not exceeding 10 kilograms in weight by a bonafide traveller as part of his luggage;
- (iv) transport or movement within the same town or village in the external or internal border area;
- (v) from a village in the external or internal border area to the nearest depot or place in the State of Rajasthan where such depot or place is within or outside such areas;

RAJ. CATTLE FODDER (SALE OF STOCK & PROHIBITION OF EXPORT) ORDER, 1968.

Relief Department

Notification S. O. 2I, dated April 19, 1969.—Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State.

Now, therefore, in exercise of the powers conferred under clause (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Agriculture (No. 24-7/67-L. D. III dated 16th April, 1969, the State Government hereby makes the following order to amend the Rajasthan Cattle Fodder (Sale of Stock and Prohibition of Export) Order, 1968, namely:—

1. *Short title.*—This order may be called the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) (Amendment) Order, 1969.

2. *Amendment of Schedule of the order.*—In the Schedule to the Rajasthan Cattle Fodder (Sale of Stock and Prohibition of Export) Order, 1968, Item No. 6. "Gram Chhilka" shall be deleted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (ii)—Dt. 21-4-69—Page 35]

Relief Department

Notification S. O. 19, dated April 19, 1969.—In exercise of the powers conferred by clauses 6 and 7 of the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1968, the State Government hereby authorises all the Collectors and Sub-Divisional Officers having jurisdiction over the internal/ and or external border areas, to issue permits for the transportation of fodder, within their respective jurisdiction:—

(a) to any place in the internal border area from any place outside that area.

(b) from any place in the internal or external border area to any place in that area.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)—Dt. 19-4-69]

RAJ. CATTLE FODDER (SALE OF STOCKS & PROHIBITION OF EXPORT) AMENDMENT ORDER, 1969

Relief Department

Notification S. O. 225. dated December 31, 1969.--Whereas the State Government is of the opinion that it is necessary so to do for maintaining and securing supply of fodder at fair price and for controlling movement of fodder within and outside the State;

Now, therefore, in exercise of the powers conferred under clauses (c), (d) and (f) of sub-section (2) of section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development & Cooperation (Department of Agriculture) No. 24-5/67-L.D. III. dated 14th October, 1968. the State Government hereby makes the following Order to amend the Rajasthan Cattle Fodder (Sale of Stocks & Prohibition of Export) Order, 1969, namely:--

1. *Short Title.*--This Order may be called the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Amendment Order, 1969.

2. *Amendment of sub-clause (4) of clause 1 of the Order.*--In sub-clause (4) of clause 1 of the Rajasthan Cattle Fodder (Sale of Stocks & Prohibition of Export) Order, 1969, the words and figures "31st December, 1969" shall be substituted by the words and figures "30th June, 1970".

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)--Dt. 31-12-69 Page 397]

Relief Department

Notification S. O. 145, dated September 26, 1969.--In Pursuance of the powers conferred by clauses 6 and 7 of the Rajasthan Cattle Fodder (Sale of Stocks and Prohibition of Export) Order, 1969, the State Government hereby authorises all the Collectors and Sub-Divisional Officers having jurisdiction over the internal or external border areas, as the case may be, as authorities competent to issue permits for the transportation of cattle fodder, within their respective jurisdiction:--

(a) to any place in the internal or external border area from any place outside that area; or

(b) from any place in the internal or external border to any other place in that area.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (ii)--Dt. 27-9-69]

**RAJ. COARSEGRAINS (PROHIBITION OF EXPORT)
(AMENDMENT) ORDER, 1968.**

Notification No. F. 17 (17) Food/Sup/66, dated January 20, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely:—

1. *Short title.*—This Order may be called the Rajasthan Coarsegrains (Prohibition of Export) (Amendment) Order, 1968.

2. *Amendment of clause 3.*—In clause 3 of the Rajasthan Coarsegrains (Prohibition of Export) Order, 1966, for the existing sub-clause (1) (c), the following sub-clause shall be substituted, namely:—

“(c) seize any books of accounts and documents which in his opinion would be useful for, or relevant, to any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken.”

[Pub. in Raj. Ex. 4 (Ga) (II)--Dt. 20.1.68—Page 887.]

RAJASTHAN COARSE GRAINS (PROHIBITION OF MOVEMENT) ORDER, 1968.

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification No. F. 17 (36) Food/Sup./Legal/68, dated September 28, 1968.—Whereas the State Government is of opinion that for the purpose of maintaining the available supplies of coarse grain in the State of Rajasthan, it is necessary, so to do;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the Notification of the Government of India, in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) published under GSR 1111, dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government hereby makes the following Order, namely :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Rajasthan Coarse Grains (prohibition of Movement) Order, 1969.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force at once.

2. *Ban on Movement of Coarse Grains.*—As from the date of commencement of the this Order, no person shall move or cause to be moved either directly or through his agent or servant or any other person acting on his behalf, any of the Coarse Grains namely, Jowar, Bajra or Maize either whole, split or in any other form outside the State of Rajasthan :

Provided that the State Government may permit any person to move out of the State to any other State such quantities of Coarse grains, namely, Jowar, Bajara, or Maize as do not exceed the limits agreed upon between the State Government and the Central Government :

Provided further that nothing herein contained shall apply to the movement of Coarse Grains by the National Seeds Corporation Limited, or by any other person provided such Coarse Grain is certified as seed by the National Seeds Corporation Limited :

Provided further that the State Government shall permit movement of Coarse Grains in accordance with the Military Credit Notes.

3. *Power of entry, search, seizure etc.*—(1) The Collector, Additional Collector, Sub-Divisional Officer, Tehsildar, any Police Officer of the rank of a Station House Officer or above, or

the officers of the Department of Food and Civil Supplies, not below the rank of Enforcement Inspector in their respective jurisdiction, or any other person authorised by the state Government in this behalf, may with such assistance, if any, as he thinks fit;

- (a) require the owner, occupier or any other person in-charge of any place premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed, to produce any book, accounts or other documents showing transaction relating to such contravention;
- (b) enter, inspect or break open and search any place or premises, vehicle or vessel in which he has reason to believe that any contravention of the provisions of Order has been, is being or is about to be committed.
- (c) Seize any books of accounts and documents which in his opinion would be useful for or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken;
- (d) search, seize and remove stocks of coarse grain either whole or split or in any other form and the animals, vehicles, vessels, or other conveyance used in carrying such coarse grains in contravention of the provisions of this Order and thereafter take or authorise the taking of all measures for securing the production of stocks of such coarse grains and animals, vehicles, vessels or other conveyance so seized, in a Court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the code of Criminal Procedure, 1898 (Central Act 5 of 1898), relating to search and seizure, shall, so far as may be, apply to searches and seizures under this clause.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 28-9-68 Page 517]

Notification No. F. 17 (36) Food/Sup./Legal/68, dated October 8, 1968.—In exercise of the powers conferred by clause 3 (1) of the Rajasthan Coarse grains (Prohibition of Movement) Order 1968, the State Government hereby authorises the Asst. Commercial Taxes Officers, Patrolling Officers of the Preventive force and Officers Incharge Border Checkposts and/or Barriers of the Commercial Taxes Department, Rajasthan, to exercise all powers of entry, search, seizure etc. in their respective jurisdiction as provided under the said clause.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 8.10.68)

RAJASTHAN CONTROL OF DISTRIBUTION OF FOODGRAINS ORDER, 1967.

Notification No. F. 17 (52/ Food/Sup /67. dated December 14, 1967.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955). read with the Government of India, Ministry of Food Agriculture, Community Development and Co-operation (Department of Food), GSR, No. 1111, dated the 24th July, 1967, the State Government hereby makes the following Order, namely :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Rajasthan Control of Distribution of Foodgrains Order, 1967.

(2) It shall extent to the whole of Rajasthan.

(3) It shall come into force atonce.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context,—

(a) 'Collector' means the Collector of a District and includes Additional Collector and any other officer authorised by the State Government to perform all or any. of the functions of the Collector under this Order,

(b) 'dealer' means a person who is engaged or intends to engage in the business of—

(i) purchase or sale of any one or more of the foodgrains in quantity of ten quintals or more at any one time; or

(ii) storage for sale of any one or more of the foodgrains in quantity of ten quintals or more at any one time;

whether in his own account or in partnership or in association with any other person or as Commission Agent or Arhathiya, and whether or not in conjunction with any other business, and includes—

(i) an agriculturist holding foodgrains in stock exceeding ten quintals in quantity;

(ii) a pledgee of pawnee or the dealer;

(iii) the owner or manager of a flour mill holding foodgrains in stock; and

(iv) Sahukars doing grain lending business.

(c) 'foodgrains' means any one or more of the foodgrains specified in the Schedule appended to this Order including products of such foodgrains other than husk and bran.

3. *Control of Distribution.*—The Collector may, by Order—

(a) prohibit any dealer holding in stock foodgrains exceeding ten quintals in quantity, from disposing it of in any manner whatsoever without the previous permission of the Collector;

(b) require any dealer holding in stock foodgrains exceeding ten quintals in quantity, to sell the whole or a specified part thereof to the Central Government or State Government to an officer or agent of such Government or to such person or persons as may be specified in the order.

4. *Payment of price.*—Whenever any dealer sells any foodgrains in compliance with an order made under sub-clause (b) of the clause 3 he shall be paid the price therefor in accordance with the provisions of section 3 of the Essential Commodities Act, 1955,

5. *Compliance of Directions.*—Every dealer shall comply with the orders and directions issued by the Collector in pursuance of clause 3, notwithstanding any previous agreement with any other person.

6. *Powers of entry, inspection, search, and seizure etc.*—Any officer authorised in this behalf by the Collector or Officers of the Food and Civil Supplies Department, not below the rank of Enforcement Inspector, with a view to securing compliance with this order and any direction or order issued thereunder—

(a) require a dealer to give information in his possession in respect of the business in foodgrains carried on by him or any other person on his behalf;

(b) inspect or cause to be inspected, any books, accounts or other documents belonging to or under the control of the dealer;

(c) enter and search or authorise any person to enter and search any premises and either seize any article or deliver or cause to be delivered any foodgrains in respect of which he has reason to believe that a contravention of this Order has been committed; to the person or persons specified in the Order under clause 2 and price of such foodgrains shall be payable to the dealer in accordance with the provisions of clause 4.

7. *Power to authorise.*—Without prejudice to any power otherwise conferred under this Order, any person authorised in this behalf by the Collector may enter the premises of any dealer and inspect stock of foodgrains for the purpose of determining whether and in what manner a direction under this Order shall be made in relation to such stocks.

SCHEDULE

[See clause 2 (c)]

- 1: Urd
 2. Moong
 3. Masur
 4. Arhar
 5. Chawla
 6. Moth
 7. Peas (Matar)
- or

a mixture of any two or more of them.

[Pub. in Raj. Gaz. Ex. 4-5(Ga)-Dt. 14-12-67-Page 763]

N B. Rescinded by Not dt. 29.2.1968 published Raj, Gaz, 4 (Ga) 29.2.68.

Food & Civil Supplies Department

Notification No. F. 17 (52) Food/Sup/67, dated January 25, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Government of India, Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), GSR No. 1111, dated the 24th July, 1967, the State Government hereby makes the following Order, namely:—

1. *Short title.*—This Order may be called the Rajasthan Control of Distribution of Foodgrains (Amendment) Order, 1968.

2. *Amendment of clause 2.*—In clause 2 (c) of the Rajasthan Control of Distribution of Foodgrain Order, 1967. the expression “other than husk and bran” shall be substituted by the expression “other than Chunni Husk, Bran, Bari, Bhujia and Papar”.

[Pub. in Raj. Gaz. Ex 4(Ga)-Dt. 25-1-68]

Food & Civil Supplies Department

Notification No F. 17 (52) Food/Sup/67, dated February 29, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR 1111, dated the 24th July, 1967, the State Government hereby rescinds the Rajasthan Control of Distribution of Foodgrains Order, 1967, issued by the State Government in Food and Civil Supplies Department under its notification No. F. 17(52) Food/Sup. /67, dated the 14th December, 1967, and published in Part IV--C of Rajasthan Gazette, Extraordinary of even date.

[Pub. in Raj. Gaz. 4 (Ga)--Dt.29-2-68]

. RAJASTHAN (DISPLAY OF PRICES OF ESSENTIAL
COMMODITIES) AMENDMENT ORDER, 1969.

Notification S. O. 55, dated March 11, 1969.---In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the Government of India, Ministry of Commerce, Order No. 26 (11) Com /Gen. 1/66 (S. O. No. 1844), dated the 18th June, 1966, the State Government hereby makes the following order further to amend the Rajasthan (Display of Prices of Essential Commodities) Order, 1966, namely.---

1. *Short title.*---This Order may be called the Rajasthan (Display of Prices of Essential Commodities) Amendment Order, 1969.

2. In the Rajasthan (Display of Prices of Essential Commodities) Order, 1966.--

- (i) in clause 6, after the words "Assistant District Supply Officer" the words "Area Supply Officer" shall be inserted and in sub-clause (a), after the words "the copy", the words "of such list" shall be inserted;
- (ii) in form 'A', below the entry "Premises of Business", the following entry shall be inserted namely.---
"Date.... .. Month Year.... "

FERTILIZER (CONTROL) ORDER, 1957.

Agriculture (V) Department

Notification No. 3 (8) F. Agr/V/65, dated December 19, 1969.—In supersession of this Department Notifications No. D. 17411/57/ F. 15 (24) Agr./57, dated 14.12.57, and No. F. 3 (8) Agr. V/69, dated the 13th August. 1969, and in exercise of the powers conferred under clause 22 of the Fertilizer (Control) Order, 1957 the State Government has been pleased to prescribe the following fees to be charged for issue of registration certificates in respect of ordinary fertilizers and mixed fertilizers, amendment and renewal of registration certificates and issue of duplicate or additional copies of registration certificates by the registration authority and for appeals.—

S.No.	Item	Fees prescribed	
		Ordinary Fertilizer.	Fertilizer Mixtures
1.	Issue of Registration Certificate	Rs. 25/-	Rs. 50/-
2.	Amendment of Registration Certificate	Rs. 10/-	Rs. 25/-
3.	Renewal of Registration Certificate	Rs. 10/-	Rs. 25/-
4.	Grant of Duplicate or additional copy of Registration Certificate	Rs. 10/-	Rs. 10/-
5.	Fees for appeals under clause 18 (C)	Rs. 25/-	Rs. 25/-

[Pub. in Raj. Gaz, Ex. 1 (Kha)—Dt. 20. 12. 69]

RAJASTHAN FOODGRAINS DEALERS LICENSING (AMENDMENT) ORDER, 1968.

Notification No. F 17 (10) Food/Sup/65/dated January 20, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967 as subsequently amended and with the prior concurrence of the Central Government, the State Government hereby makes the following order, namely :—

1. *Short title.*—This Order may be called the Rajasthan Foodgrains Dealers Licensing (Amendment) Order, 1968.

2. *Amendment of clause 11.*—In clause 11 of the Rajasthan Foodgrains Dealers Licensing Order, 1964, for the existing sub-clause (1) (c), the following sub-clause shall be substituted, namely :—

“(c) seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceeding under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)--Dt. 20-1-68 Page 888]

RAJASTHAN FOODGRAINS DEALERS LICENSING (AMENDMENT) ORDER, 1969.

Notification G.S.R. 7, dated May 8, 1969.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food) GSR 1111, dated the 24th July, 1967, as subsequently amended, the State Government hereby makes the following Order further to amend the Rajasthan Foodgrains Dealers Licensing Order, 1964, namely :—

1. *Short title.*—This Order may be called the Rajasthan Foodgrains Dealers Licensing (Amendment) Order, 1969

2. *Amendment in Schedule II of the Rajasthan Foodgrain Dealers Licensing Order, 1964.*—In Schedule II of the Rajasthan Foodgrains Dealers Licensing Order, 1964:—

(1) in Form 'B' for the existing condition No. 4, the following shall be substituted, namely :—

'(4) The licensee shall, except when specially exempted by the State Government or by an Officer authorised by the State Government in this behalf, submit to the Licensing Authority concerned a fortnightly return in Form 'C' of stocks, receipts and sales of the foodgrains (i. e. in respect of the period from the 1st to 15th and from 16th to the end of each month) within 3 days of each month) within 3 days of the close of each fortnight :

Provided that if the licensee is a retailer, that is to say, if he is engaged in the business of selling foodgrains directly and solely to the consumers, he shall instead of a fortnightly return in Form 'C' submit to the Licensing Authority concerned a true return in Form 'C' I of the stocks, receipts, and deliveries of each of the foodgrains every month so as to reach the Licensing Authority within 7 days of the close of the month,"

(2) the existing Forms C-I, C-II and C-III shall be deleted ;

(3) the existing Form C-IV shall be relettered as C-1; and

(4) following Form 'C' shall be inserted after the existing Form 'B' namely :—

FORM 'C'

(See condition No. 4 of Form 'B')

For use by a dealer.

Return of stocks, receipts and sales of foodgrains for the fortnight ending196

(1) Name of the Licensee

(2) Address

(3) Licence Number

(4) Tehsil

(5) Annual turnover of all foodgrain Rs.....

(6) Amount of security deposited Rs.....

Particulars	Wheat	Paddy (Husked)	Rice	Jowar	Maize	Barley	Minor Millets	Gram	Milo	Sorghum
1	2	3	4	5	6	7	8	9	10	11
1. Stocks at the beginning of the fortnight.										
(a) In possession of the licensee;										
(i) unsold										
(ii) Sold but awaiting delivery;										
(b) Pledged with any person or institution such as Bank or Co-operative societies										

(All figures in quintals)

TOTAL

2. Quantity purchased or received otherwise during the fortnight :

- (a) From within the District.
- (b) If from outside the district, give below the names of the districts and quantity against each district :—

(1)

(3)

(3)

- (c) If from outside the State, give below the names of the States and quantity against each State:—

(1)

(2)

(3)

TOTAL

5. Quantity sold (or otherwise disposed of) during the fortnight.

- (a) Within the district.
- (b) If outside the district, below the names of the districts and quantity against each district :

1	2	3	4	5	6	7	8	9	10	11
(1)										
(2)										
(3)										

(c) If outside the State, give below names of the States add quantity against each State

(1)
(2)
(3)

TOTAL

4. Stocks at the end of the fort night;

(a) In possession of the licensee;
(i) Unsold.

(ii) Sold but awaiting delivery.

(b) Pledged with any other person or institution such as a Bank or a Co-operative Society.

TOTAL

The licensee shall show under in any single case.

the heading of such daler only if the quantity purchased exceeds 200 quintals

**RAJASTHAN FOODGRAINS DEALERS LICENSING
ORDER, 1964.**

Food & Civil Supplies Department

Notification G. S. R. 2, dated April 1, 1970.—In exercise of the powers conferred by clause 11 of the Rajasthan Foodgrains Dealers Licensing Order, 1964, the State Government hereby authorises the Quality Inspectors of the Food and Civil Supplies Department posted at Jaipur and placed at the disposal of the Food Commissioner, to exercise all powers of entry, search, seizure etc. in the State of Rajasthan as a whole.

[Pub. in Raj. Gaz. Ex 4 (Ga.) (1)—Dt. 1-4-70 Page 2]

**RAJASTHAN FOODGRAINS (PREVENTION OF HOARDING)
(AMENDMENT) ORDER, 1968.**

Notification No. F. 17 (61) Food/Sup 66, dated January 20, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely :—

1. *Short title.*—This Order may be called the Rajasthan Foodgrains (Prevention of Hoarding) (Amendment) Order, 1968.

2. *Amendment of clause 8.*—In clause 8 of the Rajasthan Foodgrains (Prevention of Hoarding) Order, 1966, for the existing sub-clause (1) (c), the following sub-clause shall be substituted, namely ;—

“(c) seize any books of accounts and documents which in his opinion would be useful for, or relevant to any proceeding under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken”.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 20-1-68 Page 886]

**RAJASTHAN FOODGRAINS (PROCUREMENT)
(AMENDMENT) ORDER, 1968.**

Notification No. F. 17 (327) Food/Sup/65, dated January 20, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following order, namely ;—

1. *Short title.*—This Order may be called the Rajasthan Foodgrains (Procurement) (Amendment) Order, 1968.

2. *Amendment of clause 2.*—In sub clause (iia) of clause 2 of the Rajasthan Foodgrains (Procurement) Order, 1965 hereinafter referred to as the principal Order,—

for the figures “1965” wherever occurring the figures “1964” shall be substituted.

3. *Amendment of clause 6.*—In clause 6 of the principal Order for the existing sub-clause (1) (iii), the following sub-clause shall be substituted, namely :—

“(iii) seize any books of accounts and documents which in his opinion would be useful for, or relevant to any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken”.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 20-1-68 Page 889]

Notification No. F. 17 (327) Food/Sup/65, dated April 8, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the notification of the Government of India, in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR No. 1111. dated the 24th July, 1967, the State Government hereby makes the following order namely ;—

1. *Short title.*—This Order may be called the Rajasthan Foodgrains (Procurement) (Second Amendment) Order, 1968.

2. *Amendment of clause 2.*—For the existing sub-clause (iv) of clause 2, the following sub-clause shall be substituted, namely :—

“(iv) ‘Foodgrains’ means, Wheat and Paddy including their products”.

[Pub. in Raj Gaz. Ex. 4 (Ga) Dt. 8-4-68-Page 9.]

Notification No. F. 17 (20) Food/Sup./68 dated June 12, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the notification of the Government of India, in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR 1111 dated 24th July, 1967, the State Government hereby makes the following Order further to amend the Rajasthan Foodgrains (Procurement) Order, 1965, namely :—

1. Short title.—This Order may be called the Rajasthan Foodgrains (Procurement) (Third Amendment) Order, 1968.

2. Amendment of Schedule.—In the existing Schedule appended to the Rajasthan Foodgrains (Procurement) Order, 1965, the following mandies shall be included :—

S. No.	Name of District					Name of mandies
1	Alwar	....	..			Govindgarh
2.	Bharatpur	....	...	....	....	Kama
3.	Bundi	....	....	....	....	Kapren
4.	Chittorgarh	....	....	....	....	Chhotisadri
5.	Sriganganagar	....	...	....	....	Dabli
6,	Jalore	....	....	....	....	Sanchore
7.	Jaipur	....	....	....	....	Dudu Sanganer
8,	Kotah	....	....	....	....	Chhabra Itawa
9.	Udaipur	....	....	....	....	Kankroli

**RAJASTHAN FOODGRAINS (PROCUREMENT)
(AMENDMENT) ORDER, 1969.**

Food & Civil Supplies Department

Notification G. S. R. 3. dated April 21, 1969.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the notification of the Government of India, in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR 1111 dated 24th July, 1967, the State Government hereby makes the following Order further to amend the Rajasthan Foodgrains (Procurement) Order, 1965, namely :—

1. Short title.—This Order may be called the Rajasthan Foodgrains (Procurement) (Amendment) Order, 1969.

2. Amendment of the Schedule.—In the existing Schedule appended to the Rajasthan Foodgrains (Procurement) Order, 1965 the following mandies shall be included :—

S. No.	Name of District	Name of Mandies
1.	Alwar	Rajgarh
2.	Banswara	Ghatol
3.	Kotah	Kishanganj, Mangrol
4.	Tonk	Todaraisingh
5.	Udaipur	Amet.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)—Dt. 21-4-69—Page 5]

Food & Civil Supplies Department

Notification G. S. R. 53, dated October 4, 1969—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the notification of the Government of India, in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) published under GSR No. 1111, dated the 24th July, 1967, the State Government hereby makes the following order, namely :—

1. Short title.—This Order may be called the Rajasthan Foodgrains (Procurement) (Second Amendment) Order, 1969.

2. Amendment of clause 2.—For the existing sub-clause (iv) of clause 2, the following sub clause shall be substituted, namely :—

“(vi) ‘Food grains’ means, Wheat, Jowar, Bajra, Maize and Paddy including their products”

[Pub. in Raj. Gaz. Ex. 4 (Ga) (1)—Dt. 4-10-69]



RAJASTHAN FOODGRAINS (PROCUREMENT) ORDER, 1965.

Food & Civil Supplies Department

Notification No. F. 17 (20) Food/Legal/68, dated April 17, 1968.—In exercise of the powers conferred by clause 3 of the Rajasthan Foodgrains (Procurement) Order, 1965, I.H.M. Mathur, Addl. Food Commissioner, Rajasthan, hereby declare the following mandies as Selected Mandies for the procurement of Wheat with effect from 17th April, 1968. —

S. No.	Name of Distt.	Name of Selected Mandi
1.	Ajmer	Ajmer, Kishangarh, Kekri.
2.	Alwar	Alwar, Kherli, Khairthal.
3.	Bharatpur	Bharatpur, Dholpur, Bayana, Deeg.
4.	Bhilwara	Bhilwara, Gulabpura.
5.	Bundi	Bundi, Keshavraipatan.
6.	Chittorgarh	Pratapgarh, Nimbahera.
7.	Churu	Churu, Sardarshahar, Taranagar, Sudulpur.
8.	Srignaganagar,	Sriganaganagar, Srikananpur, Raisinghanagar, Padampur, Nohar, Bhadra, Hanumanganarh Jn., Hanumanganarh Town, Sadulshahar, Sangaria, Pilibanga, Keerisinghpur, Gajsinghpur, Srivijaynagar.
9.	Jaipur	Jaipur, Bandikui, Dausa, Chomu, Phagi.
10.	Jhalawar	Bhawanimandi, Chaumahala.
11.	Kotah	Kotah, Baran, Sumerganjmandi; Ramganjmandi, Anta, Chhipabarod
12.	Sawaimadhopur	Gangapur, Hindaun, Mandawar.
13.	Sikar	Srimadhopur.
14.	Tonk	Tonk, Newaj, Deoli, Malpura.
15.	Jalore	Jalore, Bhinmal.
16.	Pali	Pali, Sumerpur, Sojatroad, Rani.
17.	Sirohi	Sheoganj.
18.	Banswara	Banswara, Kushalgarh.
19.	Nagaur	Nagaur, Mertacity, Kuchaman City.

Food and Civil Supplies Department

Notification No. F. 17. (20) Food/Sup /Legal/68, dated June 14, 1968.—In exercise of the powers conferred by clause 3 of the Rajasthan Foodgrains (Procurement) Order, 1965, I, H.M. Mathur, Addl. Food Commissioner, Rajasthan, hereby declare the following Mandies as Selected Mandies for the procurement of Wheat with effect from 14th June, 1968 :—

S. No. 1	Name of District. 2	Name of Selected Mandi. 3
1.	Alwar	Govindgarh
2.	Barmer	Balotara
3.	Bharatpur	Nadbai, Kama
4.	Bhilwara	Shahpura
5.	Bundi	Kapren
6.	Chittorgarh	Chhotisadri
7.	Sriganganagar	Jaitsar, Dabli
8.	Jaipur	Dudu, Sanganer, Lalsot
9.	Jalore	Sanchole
10.	Jhalawar	Jhalrapatan, Khanpur, Eklara
11.	Jodhpur	Bilara
12.	Kotah	Chhabra, Itawa, Sultanpur
13.	Sikar	Neem-ka-thana
14.	Udaipur	Udaipur, Kankroli.

[Published in Raj. Gaz. Ex. 4 (Ga) (1) Dt. 14.6.68 Page 261].

Notification S. O. 10. dated April 4, 1969.—In exercise of the powers conferred by clause 3 of the Rajasthan Foodgrains (Procurement) Order, 1965, I Ajit Sinha Mehta, Addl. Food Commissioner, Rajasthan hereby declare the following mandies as Selected Mandies for the procurement of Wheat with effect from 4th April, 1969.

S. No. 1	Name of Distt. 2	Name of the Selected Mandi 3
1.	Ajmer	Kishangarh, Kekri
2.	Alwar	Alwar, Khairthal, Kherli
3.	Bharatpur	Bharatpur, Deeg, Dholpur, Nadbai.
4.	Bhilwara	Bhilwara, Gulabpura.
5.	Bundi	Bundi, Keshavraipatan, Kapren.
6.	Chittorgarh	Chittorgarh, Nimbahera, Pratapgarh

S No. 1	Name of Distt. 2	Name of the Selected Mandi 3
7.	Sriganganagar	Sriganganagar, Srikanpur, Raisinghnagar, Padampur, Nohar, Bhadra, Hanumangarh Jn., Hanumangarh Town; Sadulshahar, Pilibangan, Kesrisinghpur, Gajsinghpur, Srivijaynagar. Jetsar, Sangaria.
8.	Jaipur	Jaipur, Kotputli, Dudu, Bandikui, Dausa.
9.	Jhalawar	Bhawanimandi, Khanpur, Jhalrapatan.
10.	Kotah	Kotah, Baran, Anta, Sangod, Chabra, Itawa, Ramganjmandi; Sultanpur.
11.	Banswara	Banswara.
12.	Barmer	Balotra.
13.	Jalore	Sanchoe
14.	Pali	Sumerpur
15.	Sawai Madhopur	Sawaimadhopur, Gangapur C Hindaun, Mahua-Mandawar Road.
	Tonk	Tonk, Malpura, Deoli, Newai.
17.	Udaipur	Udaipur, Kankroli.

[Pub. in Raj. Gaz. 4(Ga)—Dt. 1-4-69—Page 15]

Food & Civil Supplies Department

Notification S. 22, dated April 24, 1969.—In exercise of the powers conferred by clause 3 of the Rajasthan Foodgrains (Procurement) Order, 1965, I, Ajit Sinha Mehta, Additional Food Commissioner, Rajasthan, hereby declare the following mandies as Selected Mandies for the procurement of Wheat with effect from 24th April, 1969 :—

	Name of District.	Name of the Selected Mandi
1.	Alwar	Rajgarh
	Banswara	Ghatol
3.	Kotah	Kishanganj, Mangrol
4.	Tonk	Todaraisingh
5.	Udaipur	Amet

[Pub. in Raj. Gaz. Ex. 4(Ga) (II)—Dt. 24-4-69—Page 25]

Notification S.O 174, dated November 12, 1969.—In exercise of the powers conferred by clause 3 of the Rajasthan Foodgrains (Procurement) order, 1965, I, Pratap Singh, Additional Food Commissioner, Rajasthan, hereby declare the following mandies as Selected Mandies for the procurement of Jowar, Bajra and Maize with effect from 12th November, 1969 :—

S. No.	Name of District	Name of the Selected Mandi
1.	Alwar	Alwar, Khairthal, Kherli, Rajgarh.
2.	Ajmer	Ajmer, Kekri, Kishangarh (Madanganj).
3.	Bharatpur	Bharatpur, Nadbai, Deeg, Dholpur, Bayana.
4.	Bundi	Keshoraiipatan, Kapren.
5.	Bikaner	Bikaner, Nokha.
6.	Barmer	Barmer.
7.	Banswara	Banswara.
8.	Chittorgarh	Chittorgarh, Pratapgarh Nimbahera.
9.	Churu	Sadulpur.
10.	Ganganagar	Sriganganagar, Hanumangarh, Junction, Hanumangarh Town, Nohar, Bhadra, Pilibanga, Sangaria, Raisinghnagar, Srikanarpur, Sadulshahar, Gajsinghpur, Kesrisinghpur, Jaitsar, Vijaynagar, Padampur.
11.	Bhilwara	Bhilwara, Gulabpura.
12.	Jaipur	Jaipur, Dausa, Bandikui, Chomu, Lalsot, Chaksu, Dudu.
13.	Jhunjhunu	Surajgarh.
14.	Jhalawar	Bhawanimandi, Jhalrapatan, Khanpur, Aklera.
15.	Jodhpur	Jodhpur.
16.	Kota	Kota, Baran, Chhabra, Ramganjmandi, Anta, Chhipabarod, Sumerganjmandi, Sultanpur, Sangod, Itawa.
17.	Pali	Pali, Sojatroad, Sumerpur.
18.	Sawaimadhopur	Sawaimadhopur, Hindaun, Gangapur City, Mandawar.
19.	Sikar	Sikar, Srimadhopur.
20.	Tonk	Tonk, Deoli, Niwai, Malpura, Todaraisingh.
21.	Udaipur	Fatehnagar.

Notification No. F. 17 (327) Food/Sup./65./dated April 8, 1968.—In exercise of the powers conferred by clause 4 of the Rajasthan Foodgrain (Procurement) Order, 1965. I. H. M. Mathur, Addl. Food Commissioner of Food Supplies, Rajasthan hereby rescind the orders specified in the Schedule below which were published in the Rajasthan Gazette, Extraordinary, Part IV-C of even number and date :—

SCHEDULE

1. Notification No. F. 17 (327) Food/Sup./65, dated 21-5-65.
2. Notification No. F. 17 (327) Food/Sup./65, dated 23-5-65.
3. Notification No. F. 17 (327) Food/Sup./65, dated 24-9-66.
4. Notification No. F. 17 (327) Food/Sup./65, dated 29-9-66.
5. Notification No. F. 17 (327) Food/Sup./65, dated 5-10-66.
6. Notification No. F. 17 (327) Food/Sup./65, dated 10-11-66.
7. Notification No. F. 17 (327) Food/Sup./65, dated 3-12-66.
8. Notification No. F. 17 (327) Food/Sup./65, dated 21-4-67.
9. Notification No. F. 17 (327) Food/Sup./65, dated 2-5-67.

[Pub. in. Raj. Gaz. Ex. 4 (Ga) -Dt. 8-4-68—Page 10]

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification S.O. 44, dated March 15, 1969.—In exercise of the Powers conferred by clause 4 of the Rajasthan Foodgrains (Procurement) Order, 1965, I, A.S. Mehta, Addl Food Commissioner of Food Supplies, Rajasthan, hereby rescind the orders specified in the Schedule below which were published in the Rajasthan Gazette, Extra-ordinary, Part IV-C of even number and date:—

SCHEDULE

1. Notification No. F. 17 (20) Food/Sup./Legal/68. dt. 17-4-68.
2. Notification No. F. 17 (21) Food/Sup./Legal/68, dt. 14-6-68.

[Pub. in Raj. Gaz. Ex. 4(Ga)(11)—Dt. 15-3-69—Page 1185]

Notification No. F. 17(327) Food/Sup./65, dated, April 8, 1968.—In exercise of the powers conferred by clause 5-A of the Rajasthan Foodgrains (Procurement) Order, 1965, the State Government hereby rescinds the orders specified in the Schedule below which were published in the Rajasthan Gazette, Extra-ordinary, Part IV-C of even number and date :—

SCHEDULE

1. Notification No. F. 17 (327) Food/Sup./65, dated 5-10-66.
2. Notification No. F. 17 (327) Food/Sup./65, dated 3-11-66.
3. Notification No. F. 17 (327) Food/Sup./65, dated 10-11-66.
4. Notification No. F. 17 (327) Food/Sup./65, dated 3-12-66.
5. Notification No. F. 17 (327) Food/Sup./65 dated 18-4-67.
6. Notification No. F. 17 (327) Food/Sup./65, dated 21-4-67.
7. Notification No. F. 17 (327) Food/Sup./65, dated 2-5-67.
8. Notification No. F. 17 (327) Food/Sup./65, dated 11-5-67.

[Pub. in Raj. Gaz. Ex. 4(Ga) -Dt. 8-4-68 Page 10]

Notification No. F. 17(20). Food/Sup./68, dated, April 17, 1968.—In exercise of the Powers conferred by clause 5-A of the Rajasthan Foodgrains (Procurement) Order, 1965, the State Government hereby authorises the Food Corporation of India, Jaipur, to Procure Wheat in the selected mandies until further orders and earmarks the "Corporation Share" to be 50% (Fifty percent) of the daily arrivals of the abovesaid foodgrains in a selected mandi for purposes of procurement by it under the said Order.

[Pub. in Raj. Gaz. 4 (Ga)-Dt. 18-4-68-Page 35]

Notification S.O. 45 dated March 15, 1969.—In exercise of the powers conferred by clause 5-A of the Rajasthan Foodgrains (Procurement) Order, 1965, the State Government hereby rescinds the Ordes No. F. 17 (20) Food/Sup/Legal/68, dated the 17th April, 1968, which was published in the Rajasthan Gazette, Extra-Ordinary, Part IV-C of even number and date.

[Pub. in Raj. Gaz. 4 Ex. (Ga) —Dt. 15-3-69—Page 1186]

Notification S. O. 11., dated April 4, 1969.—In exercise of the powers conferred by clause 5-A of the Rajasthan Foodgrains (Procurement) Order, 1965, the State Government hereby authorises the Food Corporation of India, Jaipur, to procure Wheat in the Selected Mandies until further orders and earmarks the "Corporation Share" to be 50% (Fifty percent) of the daily arrivals of the abovesaid foodgrains in selected mandi for purposes of procurement by it under the said Order.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 1-4-69 Page 17]

Notification S. O. 26, dated May 1, 1969.—In exercise of the powers conferred by clause 5-A of the Rajasthan Foodgrains (Procurement) Order, 1965, the State Government hereby authorises the Food Corporation of India, Jaipur to procure wheat in the Selected Mandies until further orders and earmarks the "Corporation Share" to be 50% (fifty percent) of the daily arrivals of the above said foodgrains in a selected mandi for purposes of procurement by it under the said Order. It is further laid down that the Food Corporation of India shall furnish every Monday a weekly statement showing quantity of wheat procured in all the mandies during the past week to the Food Commissioner. Another weekly statement showing procurement in the mandies situated in each District shall be furnished every Monday by the Food Corporation of India to the Collectors concerned.

The Notification issued vide S.O. 11, dated the 4th April, 1961 is hereby rescinded.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(11)--Dt. 1-5-69]

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification S. O. 173, dated November 12, 1969.—In exercise of the powers conferred by clause 5-A of the Rajasthan Foodgrains (Procurement) Order, 1965, the State Government hereby authorises the Food Corporation of India, Jaipur to procure Jowar, Bajra and Maize in the Selected Mandies until further orders and earmarks the 'Corporation Share to be 50% (Fifty percent) of the daily arrivals of the abovesaid foodgrains in a selected mandi for purposes of procurement by it under the said Order. It is further laid down that the Food Corporation of India shall furnish every Monday a weekly statement showing quantity of the Jowar, Bajra, Maize procured in all the mandies during the past week to the Food Commissioner. Another weekly statement showing procurement in the mandies situated in each District shall be furnished every Monday by Food Corporation of India to the Collectors concerned.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (II)--Dt. 12-11-69--Page 285)

Rajasthan Food (Restriction on Service of Meals by Catering Establishments) Amendment Order, 1968

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification No. F. 17 (9) Food/Sup./66, dated January 31, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) GSR 1111, dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government the State Government hereby makes the following Order to amend the Rajasthan Food (Restriction on Service of Meals by Catering Establishments) Order, 1965, namely:—

1. *Short title.*—This Order may be called the Rajasthan Food (Restrictions on Service of Meals by Catering Establishments) Amendment Order, 1968.

2. *Amendment of Clause 2.*—In clause 2 of the Rajasthan Food (Restrictions on Service of Meals by Catering Establishments) Order, 1965, hereinafter referred to as the principal Order, sub-clauses (b), (c) and (d) shall be deleted.

3. *Amendment of Clause 3.*—For the existing clause 3 of the Principal Order the following clause shall be substituted, namely:—

“3. No proprietor, or other person in charge of a catering establishment shall supply for consumption or offer or attempt to supply for consumption, and no person shall obtain or consume or attempt to obtain or consume, at a catering establishment at for the purposes of a meal more than four courses as permitted in the Schedule, whether served successively in European style or served together in Indian style or placed together in display for self-help style of buffer type meal”.

4. *Amendment of clause 4.*—In the existing clause 4 of the Principal Order the word “two” occurring after the expression in ‘addition to’ shall be substituted by the word ‘four’ and the words ‘Soup, Bread’ shall be deleted.

5. *Deletion of clause 4-A.*—The existing clause 4-A of the principal Order shall be deleted.

6. *Amendment of the Schedule.*—For the the existing Schedule of the principal Order the following Schedule shall be substituted, namely:—

THE SCHEDULE

(i) Soup;

(ii) Any two preparations of fish, meat, poultry, game or vegetables with rice or pulao or chapatis or parothas or bhakarlis or nans or bread or any other preparation of what/wheat flour, Salad, dal and two vegetables may be served in addition.

Explanation.—It will be permissibly to serve either a fish and a meat Preparation or two Preparations of meat or one of meat and one of poultry.

(iii) A sweet preparation.

or

A savoury dish consisting mainly of vegetables or eggs; but without cereals."

[Pub. in Raj. Gaz, Ex. 4 (Ga)--Dt.31-1-68-Page 939]

**Foodgrains Prohibition of Use in Manufacture of Starch)
Order, 1966.**

Food and Civil Supplies Department

Notification G.S.R. 101, dated March 4, 1970—In exercise of the powers conferred by clause 4-A of the Foodgrains prohibition of Use in Manufacture of Starch) Order, 1966, the State Government hereby authorise the Addl. Commissioner Food and Dy. Secretary to issue permits for use of damaged/deteriorated foodgrains for manufacture of starch by the factories situated outside Rajasthan State.

[Pub. in Raj. Gaz. 4 (Ga)(I)—Dt. 4-3-70- Page 343]

Notification G.S.R. 102, dated March 4, 1970.—In exercise of the powers conferred by clause 4-A of the Foodgrains (Prohibition of Use in Manufacture of Starch) Order, 1966, the State Government hereby authorises all District Supply Officers to issue permits for use of damaged/deteriorated foodgrains for manufacture of starch to such factories which may be situated in their respective districts.

[Pub. in. Raj. Gaz. Ex. 4 (Ga)(i)—Dated. 4.3.70. Page 344]

RAJ. GRAM & BARLEY (PROHIBITION OF EXPORT) (AMENDMENT) ORDER, 1968.

Notification No. F.17(16) Food/Sup/III/66, dated January 20, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Not. of the Government of India in the Ministry of Food & Agriculture (Department of Food), published under G S R 11111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order namely :—

1. *Short title.*—This Order may be called the Rajasthan Gram & Barley (Prohibition of Export) (Amendment) Order, 1968.

2. *Amendment of clause.*—In clause 3 of the Rajasthan Gram & Barley (Prohibition of Export) Order, 1966, for the existing sub-clause (1) (c), the following sub-clause shall be substituted, namely :—

“(c) seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken”.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt 20-1-68 Page 386]

RAJ. GUEST CONTROL AMENDMENT ORDER, 1968

Notification No. F. 17 (11) Food/Sup./66 dated January 31, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR 1111, dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order to amend the Rajasthan Guest Control Order, 1965, namely :—

1. *Short title.*—This Order may be called the Rajasthan Guest Control Amendment Order, 1968.

2. *Amendment of clause 2.*—In clause 2 of the Rajasthan Guest Control Order, 1965, hereinafter referred to as the principal Order,—

(i) for the existing sub-clause (e), the following shall be substituted, namely ---

“(e) ‘prohibited foodstuffs’ means sweets and all foodstuffs prepared from or containing cereals or pulses excluding preparations made of gram or gram-product.”;

(ii) the existing sub-clause (h) shall be deleted.

A savoury dish consisting mainly of vegetables or eggs but without cereals.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 31-3-68 Page. 940]

RAJ. GUEST CONTROL (AMENDMENT) ORDER, 1969

Food & Civil Supplies Department

Notification G.S.R. 18, dated March 19, 1969.--In exercise of of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR 1111, dated the 24th July, 1967, as subsequently amended, the State Government hereby makes the following Order further to amend the Rajasthan Guest Control order 1965, namely ;—

1. *Short title.*--This Order may be called the Rajasthan Guest Control (Amendment) Order, 1969.

2. *Amendment of clause 6.*--In clause 6 of the Rajasthan Guest Control Order, 1965, to sub-clause (1), the following proviso shall be inserted, namely :—

“Provided that any such articles, as consist of cooked food, shall not be so seized but after taking any sample, if necessary, a list thereof shall be prepared containing weight of each item in the presence of two witnesses”.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-(I) Dt. 19-3-69—Page 1187]

Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Notification No. F.17(32)Food/Sup/Legal/68, dated Sept. 19, 1968.

In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. GSR-1111, dated the 24th July, 1967 and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely :—

1. Short title, extent and commencement—(1) This order may be called the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless there is anything repugnant in the subject or context :—

(a) “consumer” means a person who acquires hydrogenated vegetable oil for his household consumption and not for transfer by sale, distribution or otherwise;

(b) “dealer” means a person, a firm, an association of persons or a co-operative society, engaged in the business of purchase, sale or storage for sale of hydrogenated vegetable oils ;

(c) “form” means a form appended to this order ;

(d) “Licensing Authority” means the Collector or any other officer appointed by the State Government to exercise the powers and to perform the duties or functions of Licensing Authority under this Order ;

(e) “Producer” means a person who is engaged in the business of transformation/production of hydrogenated vegetable oil;

(f) “State Government” means the Government of the State of Rajasthan;

(g) “Wholesaler” means a dealer other than a retailer;

(h) “Retailer” means a dealer who sells to any one customer at one time not more than 16.5 Kgms. of hydrogenated vegetable oil; and

(i) “Collector” means Collector of a District,

3. Licencing of Dealers.—(1) No dealer shall obtain or store or attempt to obtain or store for sale or distribution or sell hydrogenated vegetable oil except under and in accordance with the terms and conditions of a licence issued in this behalf by the Licensing Authority.

(2) A separate licence shall be necessary for each place of business ;

Provided that a person who stores for sale, at any one time, hydrogenated vegetable oil in quantity not exceeding 16.5 Kgms. shall not be required to obtain a licence.

(3) Every dealer who is doing business at the commencement of this Order shall obtain licence within 7 days of such commencement :

Provided that nothing in this clause shall apply to a producer unless he is a wholesaler.

4. **Issue of licence.**—(1) Every application for the grant of a licence or re-issue or renewal thereof shall be made to the Licensing Authority in Form 'A'.

(2) An application for renewal of a licence shall be so made as to reach the Licensing Authority not less than thirty days before the date on which the licence expires.

(3) Every licence issued or renewed under this Order shall be in Form 'B' in the case of a retailer and shall be subject to the conditions specified therein.

(4) If a licence granted under this Order is defaced, lost or destroyed, the licensee shall forthwith inform the Licensing Authority, who may on application by the licensee issue a duplicate licence.

5. **Period of licence and Fees chargeable.**—(1) Every licence granted under this Order shall be valid from date of issue to the 31st March next and may be renewed for a further period of one year at a time :

Provided that an application for renewal shall be made after payment of the fees specified in sub-clause (2) of this clause before the 31st day of March.

Explanation:—For the purpose of this sub-clause, the period of validity of a licence shall not be deemed to have expired if an application for its renewal is pending before the Licensing Authority.

(2) The fees specified below shall be chargeable in respect of each licence, namely :—

(a) for issue or re-issue of licence :—

(i) Wholesaler	Rs. 10/-
(ii) Retailer	Rs. 5/-

(b) for renewal of licence :

(i) Wholesaler	Rs. 5/-
(ii) Retailer	Rs. 2/-

(c) for issue of a duplicate licence :—

(i) Wholesaler	Rs. 20/-
(ii) Retailer	Rs. 10/-

(3) No dealer shall simultaneously hold wholesale and retail licences for business at one place.

6. **Deposit of security.**—Every dealer applying for licence after the commencement of this order either as a Wholesaler or a Retailer, shall,

before the issue of licence to him, deposit with the Licensing Authority cash security of the amount mentioned below for the due performance of the conditions of the licence and of this Order—

(a) Rs. 1000/- in case of Wholesaler,

(b) Rs. 200/- in case of Retailer ;

Provided that if the applicant for the grant of a licence as a wholesaler or retailer, is a Co-operative Society registered under the Rajasthan Co-operative Societies Act, 1965, the amount of security to be deposited by it shall be equal to one-fourth of the amounts mentioned in paragraphs (a) and (b) above respectively.

7. Power to refuse licence.—The Licensing Authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing, refuse to grant or renew a licence.

8. Distribution/Sale.—(1) The licence shall comply with any direction that may be given to him by the Licensing Authority in regard to purchase, sale and storage for sale of the hydrogenated vegetable oil.

(2) The licensee shall not hydrogenated vegetable oil at rates higher than those fixed from time to time—

(a) by the Central Government or

(b) by the State Government in exercise of the powers conferred by law.

9. Maintenance of stock register.—(1) Every licensee shall maintain a true account of stock in form 'D' of the daily balance, receipts and distribution or sale, as the case may be, and keep it up-to-date at the place of his business for inspection.

(2) Every licensee shall submit to the Licensing Authority a true fortnightly stock and sale return in Form 'E' of each variety of hydrogenated vegetable oil received or sold, as the case may be, so as to reach that Authority within three days after the close of the fortnight to which it relates.

10. Display of Stock Position.—Every licensee shall display the opening balance and price of the hydrogenated vegetable oils at the start of each day.

11. Restrictions on Establishments.—No establishment shall at any one time keep in his possession or secure hydrogenated vegetable oil in excess of the quota if fixed for him by the Licensing authority from time to time and from a source other than the one specified by the Licensing Authority.

Explanation.—For the purpose of this clause, "establishment" means Catering Establishment, Institution, Residential Establishment and includes all Establishments other than private house-holds providing or manufacturing or processing foodstuff for consumption.

12. Contravention of Conditions of Licence.—No holder of a licence issued under this Order or his agent or servant or any other person acting

on his behalf shall contravene any of the terms and conditions of the licence or the directions issued under clause 8 and if any such holder or his agent or servant or any other person acting on his behalf contravenes any of the said terms, conditions or directions, then, without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of the Licensing Authority :

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

13. Cancellation and re-issue of licence.—Where a licensee has been convicted by a Court of Law in respect of contravention of any Order made under section 3 of the Essential Commodities Act, 1955 (Central Act 10. of 1955) relating to hydrogenated vegetable oils, the Licensing Authority may, by order in writing cancel his licence :

Provided that where such conviction is set-aside in any appeal or revision, the Licensing Authority may, on application in Form "A" by the person whose licence has been cancelled, re-issue the licence to such person.

14. Forfeiture of Security Deposit—(1) Without prejudice to the provisions of clause 12 if the Licensing Authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of the Security Deposit is called for, it may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit the whole or any part of the Security deposited by him and communicate a copy of the Order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 6, forthwith deposit on being required by the Licensing Authority to do so further security upto make the deficiency.

(3) Upon due compliance by the licensee of all obligations under the licence, the amount of security or such part thereof which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

15. Appeal—(1) Any dealer aggrieved by an order of the Licensing Authority refusing to grant or renew a licence or cancelling or suspending a licence or forfeiting the whole or any part of security deposited by him under the provisions of this Order, may appeal to the State Government within thirty days of the receipt by him of such Order.

(2) No order shall be passed in appeal unless the aggrieved person has been given an opportunity of being heard or stating his case in writing.

16. Powers of entry, search, seizure, etc.—(1) The Licensing Authority or any other officer authorised by the State Government in that behalf may, with such assistance, if any, as he thinks fit—

(a) require the owner, occupier or any other person in charge of any place, premises, vehicle, or vessel in which he has reason to believe that any contravention of the provisions of

this Order or of the conditions of any licence issued thereunder has been, is being or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contravention;

- (b) enter, inspect or break open and search any place or premises vehicle in which he has reason to believe that any contravention of provisions of this Order or of the conditions of any licence issued thereunder, has been, is being or is about to be committed;
- (c) seize any books of accounts and documents which in his opinion would be useful for or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken;
- (d) search, seize and remove stocks of hydrogenated vegetable oils and the animals, vehicles, vessels or other conveyance used in carrying the said hydrogenated vegetable oils in contravention of the provisions of this Order, or of the conditions of the licence issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of hydrogenated vegetable oil and the animals, vehicles vessels or other conveyance so seized, in a Court and for their safe custody pending such production.
- (2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

17. Power to Call for Information.—(1) Every licensee shall when so required by general or special directions by the licensing Authority furnish truthfully and to the best of his knowledge such particulars/information relating to hydrogenated vegetable oils, as may be required.

18. Powers of the State Government or the Licensing Authority to issue directions to licensee.—The State Government or the Licencing Authority may issue directions to licensees with regard to:—

- (a) the purchase of Hydrogenated Vegetable Oils;
- (b) the sale of Hydrogenated Vegetable oils in any quantity by him;
- (c) the storage of Hydrogenated Vegetable Oils for sale by him;
- (d) the disposal Hydrogenated Vegetable Oils purchased by him;
- (e) the disposal of Hydrogenated Vegetable Oils stored by him; and
- (f) the exhibition of price list of Hydrogenated Vegetable Oils and with regard to the manner in which such list may be exhibited.

19. Sale on Special Permits.—The Licensing Authority may by general or special Order in writing require any licensee holding stocks of Hydrogenated Vegetable Oils to sell such oil on permits issued by such authority to such persons and in such manner as may be specified in such Order.

20. Exemptions.—(1) The State Government may, by general or special Order, and subject to such conditions or restrictions as may be specified in such order, exempt any person or class of persons from the operation of all or any of the provisions of this order and may at any time suspend or rescind such exemption.

(2) Nothing in this Order shall apply to the purchase, sale or storage for sale of Hydrogenated Vegetable Oils by or on behalf of—

- (i) the State Government, or
- (ii) the officers, departments, institutions or other organisations of the State Government or such agencies as may be approved by the State Government.

FORM "A"

[See Rule 4 (1)]

The Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.

Application for grant/renewal of Wholesale/Retail Licence.

1. Name in which licence is required
2. Persons having interest in the business.

Name.....Father's name .. Home Address.....

3. Situation of applicant's place of business with particulars as to number of house, mohalla, town, or village, police station and district.
4. How long has the applicant been trading in hydrogenated vegetable oils ?
5. Quantities of each variety of hydrogenated vegetable oil handled during the last year.
6. Quantities of hydrogenated vegetable oils likely to be handled during the current year.
7. No. of Municipal Licence for dealing in Hydrogenated vegetable oils, if any.
8. Income Tax paid in the two years preceding the year of application (to be indicated separately)
 - 1.
 - 2.
9. (a) Quantity of hydrogenated vegetable oils in the possession of the applicant on the date of application (Separate figures are to be given for each variety of hydrogenated vegetable oils).
 - (b) Complete address of places where hydrogenated vegetable oils is/are proposed to be stored.
10. Particulars of licence, if any, other than that referred to in item 7.

I declare that the quantities of hydrogenated vegetable oils specified above are in my possession this day and are held at the places noted above.

I have carefully read the conditions of licence given in Form "B"/"C" appended to the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, and I agree to abide by them.

I/We also declare that the above information is true to the best of my/our knowledge and belief.

*I hereby apply for renewal of licence No dated..... issued to me on.....

*I hereby apply for re-issue of licence. My previous licence was cancelled vide order of the licensing authority No..... for reasons stated below (State the reasons) :

Signature of the applicant

Place

Date.....

*Strike off the clauses not applicable.

FORM "B"

[See clause 4 (3)]

The Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.

Licence for purchase, sale, storage for sale of hydrogenated vegetable oils
(for a wholesaler).

Licence No

1. Subje to the provisions of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, and to the terms and conditions of this licence..... is/are, hereby authorised to purchase, sale or store for sale, the undermentioned varieties of hydrogenated vegetable oils.

... ..
... ..
... ..

2. (a) The licensee shall carry on the aforesaid business at the following places :—

... ..
... ..
... ..

- (b) Hydrogenated vegetable oils in which the aforesaid business is to be carried on shall not be stored at any place other than any of the godowns mentioned below :—

... ..
... ..
... ..

Note :—If the licensee stores his hydrogenated vegetable oils in any place other than those specified above, he shall give information thereof to the licensing authority within 48 hours of such storage and shall along with such information produce the licence for making necessary entries therein.

3. (i) The licensee shall maintain a register of daily accounts for each of the Hydrogenated vegetable oils mentioned in paragraph 1, showing correctly.—
 - (a) the opening stock on each day ;
 - (b) the quantities received on each day showing the place from where and the source from which received ;
 - (c) the quantities delivered or otherwise removed on each day showing the places of destination; and
 - (d) The closing stock on each day.
- (ii) The licensee shall complete his accounts in bill book, cash book and stock register for each day latest by the beginning of the transactions on the following day, unless prevented by reasonable cause, the burden of proving which shall be upon him.
4. The licensee shall submit to the licensing authority concerned a true return in Form "E" of the stocks, receipts and deliveries of hydrogenated vegetable oil every fortnight (1st to 15th and 16th to end of the month) so as to reach him within three days after the close of the fortnight to which it relates.
5. The licensee shall not contravene the provisions of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, or any other order relating to foodstuff issued under the Essential Commodities Act, 1955 (10 of 1955).
6. The licensee shall not contravene the provisions of any of the law relating to foodstuffs for the being in force.
7. The licensee shall not—
 - (i) enter into any transaction involving purchase, sale or storage for sale of hydrogenated vegetable oils in a speculative manner prejudicial to the maintenance and easy availability of supplies of hydrogenated vegetable oils in the market.
 - (ii) withhold from sale, supplies of hydrogenated vegetable oils ordinarily for sales; or
 - (iii) sell or offer to sell in any locality any kind of hydrogenated vegetable oil at a price higher than that fixed for sale of that hydrogenated vegetable oil in such locality by the Central Government or by the State Government in pursuance of power conferred by law.
8. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the stock and the price of each variety of hydrogenated vegetable oils held by him for sale. Such price list shall be legibly written in principal language of the locality concerned. It shall indicate separately the prices of different varieties of hydrogenated vegetable oils.

9. The licensee, shall, issue to every customer a cash memo or invoice, as the case may be, giving his own name, address and licence number, the name address and the licence No. (if any), of the customers, the date of transaction, the quantity sold, the price per kg. or per pack, as the case may be, and the total amount charged. He shall get signatures of the customer on the cash memo invoice and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any other officer authorised by him in this behalf.
10. The licensee shall maintain a sales register in Form "F".
11. The licensee shall furnish correctly such information relating to the business as may be demanded from him and shall carry out such instructions as may, from time to time, be given by the licensing authority or the State Government in this behalf.
12. The licensee shall give all facilities at all reasonable time to the licensing authority or State Government for the inspection of his stock and accounts at any shop, godowns or other place used by him for the storage, sale, or purchase of hydrogenated vegetable oils and for the taking of samples of hydrogenated vegetable oils for examination.
13. The licensee shall comply with any direction that may be given to him by the State Government in regard to purchase, sale and storage for sale, of hydrogenated vegetable oils and in regard to the language in which the register, returns, receipts or invoices shall be written.
14. The licence shall be attached to any application for renewal.
15. The licence shall be valid upto 31st March, 1968.

Place.....

Date.....

(Licensing Authority)

FORM "C"

[See Clause 4 (3)].

The Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968.

Licence for purchase, sale/storage for sale of Hydrogenated Vegetable Oils (for Retailer).

Licence No.....

1. Subject to the provisions of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, and to the terms and conditions of this licence..... is/are hereby authorised to purchase, sell or store for sale in retail, the Hydrogenated Vegetable Oils.

2. (a) The Licensee shall carry on the aforesaid business at the following place,

(b) Hydrogenated Vegetable Oils in which the aforesaid business is to be carried on shall not be stored at any place other than of the godowns mentioned below :

....

....

....

Note.—If the licensee stores his hydrogenated vegetable oils in any place other than those specified above, he shall give intimation thereof to the licensing authority within 48 hours of such storage and shall alongwith such intimation produce the licence for making necessary entries thereon,

3. (i) The licensee shall, maintain a register of daily accounts for each variety of the hydrogenated vegetable oils showing correctly :—

- (a) the opening stocks on each day;
- (b) the quantities received on each day;
- (c) the source from which received;
- (d) the quantities delivered or otherwise removed on each day; and
- (e) the closing stock on each day.

(ii) The licensee shall complete his accounts for each day on the day to which they relate or by the beginning of the transactions on the following day at the latest, unless prevented by reasonable cause, the burden of proving which shall be upon him.

4. The licensee shall, submit to the licensing authority concerned every fortnight (from 1st to 15th and 16th to the end of the month) a true return in Form 'E' of the stocks, receipts and deliveries of Hydrogenated Vegetable Oil so as to reach such authority within three days after the close of the fortnight to which it relates.

5. The licensee shall not contravene the provisions of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, or any other Order relating to foodstuffs issued under the Essential Commodities Act, 1955.

6. The licensee shall not—

- (i) enter into any transaction involving purchase, sale or storage for sale of hydrogenated vegetable oil in a speculative manner prejudicial to the maintenance and easy availability of supplies of hydrogenated vegetable oils in the market;
- (ii) withhold from sale, supplies of hydrogenated vegetable oils ordinarily kept for sale; or
- (iii) Charge, in respect of sales of hydrogenated vegetable oils made by him, in excess of the price fixed from time to time by the Central Government or the State Government in exercise of the power conferred by law.

7. The licensee shall exhibit at the entrance or some other conspicuous place of his business premises, the price list and stock of hydrogenated vegetable oils held by him for sale ; such price list shall be legibly written in the principal language of the locality concerned.

8. The licensee shall, issue to every Customer a cash memo giving his own name address and licence number, the name and the address of the customer, the date of transaction, the quantity sold, the price per Kg. or per pack, as the case may be, and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any other officer authorised by it in this behalf :

Provided, that it shall not be necessary to issue any such cash memo or to keep any such duplicate in respect of sale of hydrogenated vegetable oils costing not more than Rs. 15/- unless demanded by the customer.

9. The licensee shall furnish correctly such information relating to the business as may be demanded from him and shall carry out such instructions as may, from time to time, be given by the licensing authority in this behalf.

10. The licensee shall give all facilities at all reasonable time for inspection of his stocks and accounts at any shop, godowns or other place used by him for the storage, sale or purchase of hydrogenated vegetable oils and for the taking of samples of hydrogenated vegetable oils for examination.

11. The licensee shall comply with any directions that may be given to him by the State Government or the Licensing Authority in regard to purchase, sale and storage for sale, of hydrogenated vegetable oils and in regard to the language in which the register, returns and cash memo shall be written.

12. The licence shall be attached to an application for renewal.

13. The licence shall be valid upto 31st March, 196 .

(Licensing Authority)

Date.....

Place.....

FORM 'D'

[See Clause 9 (1)]

Form of Register for maintenance of Stock Account.

S, No. 1	Date 2	Stock in hand/ opening balance 3	Stock received 4	Source from where received 5
Total of column 3 & 4 6		Stock delivered/Sold 7		Balance closing 8

FORM 'E'

[See Clause 9 (2)]

Form of Fortnightly Return

.....for the period from.....to.....

Sl, No. 1	Date 2	Stock in hand/ opening balance 3	Stock received 4	Source from where received 5
Total of columns 3 & 4 6		Stock delivered/Sold 7		Balance 8

FORM 'F'

[See Clause 10 of Form 'B']

Form of Sales Register

S. No.	Date	Name and address of Customer/ Retailer	Quantity issued	Authority on which issued	Cash Memo No.	Remarks
1	2	3	4	5	6	7

[Pub. in Raj Gaz. Ex-4(Ga)—Dated 19-9-68—Page 493]

Rajasthan Hydrogenated Vegetable Oils Dealers Licensing (Amendment) Order, 1968.

Food & Civil Supplies Department

Notification—No. F. 17 (32) Food/Sup./68, dated November 2, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) read with the Notification of the Government of India, in the Ministry of Food, Agriculture Community Development and Cooperation (Department of Food) No. GSR 1111, dated the 24th July, 1967, as subsequently amended and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely :—

1. Short title.—This order may be called the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing (Amendment) Order, 1968.

2. Amendment of Clause 3.—In the proviso to sub-clause (2) of clause 3 of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, the figures '16.5 kgms' occurring after the words 'not exceeding' shall be substituted by the figures '66 kgms'.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 2-11-68—Page 597]

RAJ. HYDROGENATED VEGETABLE OIL DEALERS LICENSING ORDER, 1968.

Food And Civil Supplies Department

Notification G. S. R. 88 dated Jnnuary 30, 1970,—In pursuance of sub-clause (d) of clause 2 of the Rajasthan Hydrogenated Vegetable Oil Dealers Licensing Order, 1968, the State Government hereby appoints all Sub Divisional Officers for Sub-Divisional Headquarters Tehsil area, District Supply Officers for District Headquarters Tehsil area and Tehsildars excluding Tehsildars posted at District and Sub Divisional Headquarters within their respective jurisdiction to be Licensing Authority under the said Order.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(I)—Dt. 30-1-70—Page 305]

Food & Civil Supplies Department

Notification No. F. 17 (32) Food/Sup/Legal/68, dated September-28, 1968,—In exercise of the powers conferred by Sub-clause (1) of Clause 16 of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, the State Government hereby authorises all Sub-Divisional Magistrates, any Police Officer not below the rank of Sub Inspector, District Supply Officers, Area Supply Officers, Tehsildars, Naib-Tehsildars, Enforcement Officers and Enforcement Inspectors to exercise all powers of entry, search, seizures etc. in their respective Jurisdiction as provided under the said clause.

[Pub. in Raj. Gaz. Ex. 4 (Ga)--Dt. 28.9.68—]

Food & Civil Supplies Department

Notification G. S. R. 112, dated March 28, 1970.—In exercise of the powers conferred by sub-clause (1) of clause 16 of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing order, 1968, the State Government hereby authorises the Quality Inspectors/Enforcement Officers/Enforcement Inspector of the Food and Civil Supplies Department posted at Jaispur and placed at the disposal of the Food Commissioner, to exercise all powers of entry, search, seizure etc. in the State of Rajasthan as a whole.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (I)—Dt. 28-3-70-Page 375]

Rajasthan Hydrogenated Vegetable Oil Dealers Licensing (Amendment) Order, 1968.

Notification G. S. R. 89, dated January 30, 1970.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), No. GSR 1111, dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following order to amend the Rajasthan Hydrogenated Vegetable Oil Dealers Licensing Order, 1968, namely;—

1. Short title.—This order may be called the Rajasthan Hydrogenated Vegetable Oil Dealers Licensing (Amendment) Order, 1970.

2. Amendment of clause 2.—In clause 2 of the Rajasthan Hydrogenated Vegetable Oil Dealers Licensing Order, 1968, hereinafter referred to as the principal Order,—

(i) for the existing sub-clause (d), the following sub-clause shall be substituted, namely ;—

“(d) “Licensing Authority” means an officer appointed by the State Government to exercise the duties and powers and to perform the duties and functions of licensing authority under this Order and different officers may be so appointed as licensing authorities for different provisions of this Order and for different areas”; and

(ii) after sub-clause (i), the following new sub-clause (j) shall be inserted.—

“(j) “Appellate Authority” means the Collector.”

3. Amendment of clause 5.—(i) For the proviso to sub-clause (1) of clause 5 of the principal order the following proviso shall be substituted:—
“Provided that an application for renewal shall be made after payment of the fees specified in sub-clause (2) of this clause not less than thirty days before the date on which the licence expires”.

(ii) the existing sub-clause (3) shall be deleted.

4. Amendment of clauses 11 and 18.—In clauses 11 and 18 of the Principal Order, for the Words “Licensing Authority” wherever occurring the word “Collector” shall be substituted.

5. Amendment of clause 15.—In clause 15 (1) of the principal Order, for the words “State Government” the words “Appellate Authority” shall be substituted.

6. Amendment of condition 13 of Form “B”.—In condition 13 of Form “B” of the Principal Order after the words ‘State Government’ the words “or the Collector and or the Licensing Authority” shall be inserted.

7. Amendment of condition 10 of Form “C”.—In condition 10 of Form “C” of the Principal Order after the words “reasonable times” the words “to the Licensing Authority” or the State Government shall be inserted,

**RAJ. HYDROGENATED VEGETABLE OILS DEALERS
LICENSING (SECOND AMENDMENT) ORDER, 1968.**

Food & Civil Supplies Department

Notification G. S. R. 111, dated March 28, 1970—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), No. G. S. R. 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following order to amend the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, namely:—

1. *Short title.*—This Order may be called the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing (Second Amendment) Order, 1970.

2. *Amendment of clause 5.*—In clause 5 of the Rajasthan Hydrogenated Vegetable Oils Dealers Licensing Order, 1968, herein-after referred to as the principal order, after sub-clause (2) the following new sub-clause (3) shall be inserted:—

“(3) No dealer shall simultaneously hold wholesale and retail licences within the jurisdiction of the same Licensing Authority,”

3. *Amendment of Condition 13 of Form ‘B’.*—In condition 13 of Form ‘B’ of the principal order, the words “and or the Licensing Authority” appearing after the word “Collector” shall be deleted.

4. *Amendment of Condition 10 of Form ‘C’.*—In condition 10 of Form ‘C’ of the principal order, after the words ‘Licensing Authority’ the words “or any other officer authorised under clause 11 of the principal order” shall be inserted.

5. *Amendment of Condition 11 of Form ‘C’.*—In condition 11 of Form ‘C’ of the principal order for the words “Licensing Authority”, the word “Collector” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(I)—Dt. 28-3-70—Page 375]

RAJ. IMPORTED FOOD-STUFFS (PROHIBITION OF UN-AUTHORISED SALE) ORDER, 1968.

Food & Civil Supplies Department

Notification No. F. 17 (35) Food/Sup./Legal/68, dated October 5, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) published under GSR No. 1111, dated the 24th July, 1967, as subsequently amended, the State Government hereby makes the following Order, namely:—

1. *Short title, extent and commencement*—This Order may be called the Rajasthan Imported Food-stuffs (Prohibition of Un-authorised Sale) Order, 1968.

(2) It extends to the Rajasthan Canal Project Area of the State.

(3) It shall come into force at once.

2. *Definitions*.—In this Order, unless the context otherwise requires;—

(a) 'imported food-stuffs' means food-stuffs specified in the Schedule appended to this Order, imported from outside India by the Central Government and supplied by Food and Agriculture Organisation of the United Nations, under the World Food Programme for sale in the Rajasthan Canal Project Area;

(b) 'authorised dealer' means a dealer authorised by the Project Manager to run a fair price shop or ration shop at which imported food-stuffs are or may be sold;

(c) 'mobile shop' means a shop run by the Rajasthan Canal Project Department;

(d) 'Chairman' means the Chairman and Administrator of the Rajasthan Canal Board;

(e) 'Financial Advisor' means the Financial Advisor to the Rajasthan Canal Board;

(f) 'Project Manager' means the Project Manager appointed by the Government of Rajasthan to manage the affairs of the food assistance received under the World Food Programme and shall include the Assistant Project Manager;

(g) 'sale price' means the sale price of food-stuffs determined by the Chairman in consultation with the Financial Advisor on the recommendation of the Project Manager;

Prohibition of unauthorised sale of food-stuffs.—(1) No person other than an authorised dealer shall sell or store or offer for sale imported food-stuffs in any quantity; either split or in-split or mixed with other food-stuffs.

(2) The prices at which imported food-stuffs may be sold or offered for sale by an authorised dealer shall not exceed such prices as are determined by the Chairman and notified in the Project Area from time to time for sale of such food-stuffs.

4. *Prohibition of sale to unauthorised persons.*—The authorised dealer or the mobile shop shall sell food-stuffs only to persons authorised under a rationcard validly issued by the project Manager and to none else.

5. *Restriction on the movement of the food-stuffs.*—Imported food stuffs shall not be moved out of the project Area except under and in accordance with a permit issued by the Project Manager and no authorised dealer or ration-card holder shall take imported food-stuffs outside the area for which these food-stuffs are supplied to him.

6. *Saving.*—Nothing in this Order shall apply to:—

(i) the storing for sale of imported food-stuffs on Government account, or

(ii) the movement of food-stuffs in the departmental mobile vans.

7. *Powers of entry, search seizure etc.*—(1) The officers of the Rajasthan Canal Board not below the rank of the Assistant Project Manager, any Police Officer not below the rank of the Circle Inspector, and the officers of the Food and Civil Supplies Department not below the rank of the Enforcement Officer, may, with a view to securing compliance with this Order, with such such assistance, if any, as he thinks fit,—

(a) require the owner, occupier or any other person in-charge of any place, premises, receptacle, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed, to produce any book, accounts or other documents showing transaction relating to such contravention ;

(b) enter, inspect or break open and search any place or premises, receptacle, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed;

(c) take or cause to be taken, extracts from or copies of any documents showing transactions relating to such contraventions which are produced before him; and

(d) search, seize and remove stocks of imported food-stuffs and the animals, vehicles, receptacles, vessels or other conveyance used in carrying such food-stuffs in contravention of the

provisions of this Order and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of such food-stuffs and the animals, vehicles, receptacle, vessels or other conveyance so seized in a Court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to search and seizure, shall, so far as may be apply to searches and seizures under this clause.

THE SCHEDULE

1. Wheat;
2. Edible Oil and/or Ghee;
3. Dried Skim-milk; and
4. Beans.

[Pub. in Raj. Gaz. 4(Ga)---Dt. 5-10-68-Page 531]

IMPORTED FOODGRAINS (PROHIBITION OF UNAUTHORISED SALE) ORDER, 1958.

Food & Civil Supplies Department

Notification No. F. 17 (11) Food/Sup/. 67, dated December 29, 1967.—In exercise of the powers conferred by clause 3A of the Imported Foodgrains (Prohibition of Unauthorised Sale) Order, 1958, the State Government hereby fixes the following retail sale prices of imported foodgrains with effect from 1st January, 1968:—

Retail Price

- | | |
|-------------------|--------------------|
| 1. Imported Wheat | Rs. 78/per quintal |
| 2. Imported Milo | Rs. 58/per quintal |
- [Pub. in Raj. Gaz. Ex. 4 (Ga) (Dt. 29-12-67

INTER-ZONAL WHEAT & WHEAT PRODUCTS (MOVEMENT CONTROL) ORDER, 1968.

Notification No. F. 17(6) Food/Sup./68, dated May, 1968.—

The following Order of the Government of India in the Ministry of Food and Agriculture, Community Development and Co-operation (Department of Food) is hereby republished for general information.

G.S.R.781.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order further to amend the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1964, namely :—

1. This Order may be called the Inter-Zonal Wheat and Wheat Products (Movement Control) Third Amendment Order, 1968.

2. In the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1964, in clause 3, in the third proviso for the words “a permit granted by the State Government”, the words “a permit granted by the State Government or by any officer authorised in this behalf by the State Government” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 15.5.68—Page 158]

INTER-ZONAL WHEAT AND WHEAT PRODUCTS (MOVEMENT CONTROL) ORDER, 1968.

Notification No. F. 17(6) F/S/68. dated May 15, 1968.--

In exercise of the powers conferred by third proviso to Clause 3 of the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1964 the State Government hereby authorises all Collectors of the Districts to issue permits for export of Wheat products in their respective jurisdiction.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 15.5.68.—Page 157]

FOOD AND CIVIL SUPPLIES DEPARTMENT

Notification No. F. 17(24) Food/Sup./68, dated May 28, 1968.—In exercise of the powers conferred by clause 7 of the Inter-Zonal Wheat and Wheat Products (Movement Control) Order, 1964 issued by the Government of India, in the Ministry of Food and Agriculture (Department of Food), vide GSR No. 511, dated the 23rd March, 1964, the State Government hereby authorises the Asstt. Commercial Taxes Officers, Patrolling Officers of the Preventive Force and Officer Incharge Border Checkposts and/or Barriers of the Commercial Taxes Department, Rajasthan, to exercise all powers of entry, search, seizures etc. in their respective jurisdiction as provided under the said clause.

[Pub. in Raj. Gaz. Ex 4 (Ga) Dated 28.4.68]

RAJASTHAN KHANDSARI & GUR DEALERS LICENSING
(AMENDMENT) ORDER, 1968.

Notification No. F. 12(27) Food/Sup./63. dated January 20, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967, as subsequently amended and, with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely:—

1. *Short title.*—This Order may be called the Rajasthan Khandsari and Gur Dealers Licensing (Amendment) Order, 1968.

2. *Amendment of clause 10.*—In clause 10 of the Rajasthan Khandsari and Gur Dealers Licensing Order, 1963, for the existing sub-clause (1) (c), the following sub-clause shall be substituted, namely ;—

“(c) seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken”.

[Pub. in Raj.Gaz.Ex. 4 (Ga)-Dt. 20.1.68—Page 888]

RAJASTHAN KHANDSARI & GUR DEALERS, LICENSING
(SECOND AMENDMENT) ORDER, 1968

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification No. F. 12(27) Food/Sup/Legal/63, dated December 30, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, (Central Act No. 10 of 1955) read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. GSR 1111, Dated the 24th July, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely :—

1. *Short title.*—This Order may be called the Rajasthan Khandsari and Gur Dealers, Licensing (Second Amendment) Order, 1968.

2. *Amendment of clause 2.*—In clause 2 of the Rajasthan Khandsari and Gur Dealers Licensing Order, 1963, hereinafter referred to as the Principal Order, after Sub-Clause (f), the following new sub-clause (g) shall be inserted,—

“(g) ‘Appellate Authority’ means the Collector of the District, as regards the case wherein he has not acted as the Licensing Authority and as regards any other case, The State Government”.

3. *Amendment of clause 8.*—In clause 8 (1) of the principal Order, for the words ‘State Government’ the words ‘Appellate Authority’ shall be substituted.

[Pub, in Raj. Gaz. Ex. 4(Ga)-Dt. 30-12-68 Page 681]

RAJ. KHANDSARI & GUR DEALERS LICENSING
ORDER, 1963

Notification No. F. 12(27) Food/Sup/Legal/63, dated December 30, 1968.—In pursuance of sub-clause (c) of clause 2 of the Rajasthan Khandsari and Gur Dealers Licensing Order, 1963, the State Government hereby appoints all Sub-Divisional Officers for Sub-Divisional Headquarters Tehsil area, District Supply Officers for District Headquarters Tehsil area and Tehsildars excluding Tehsildars posted at District and Sub-Divisional Headquarters within their respective jurisdiction to be Licensing Authority under the said Order.

[Pub. in Raj. Gaz. Ex. 4 (Ga) --Dt. 30-12-68 Page 682]

**RAJ. KHARIF FOODGRAINS (LEVY ON DEALERS)
(AMENDMENT) ORDER, 1968**

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification No. F. 17(44) Food/Sup/67, dated January 20,

1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Food) published under GSR 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely:—

1. *Short title.*—This Order may be called the Rajasthan Kharif Food grains (Levy on Dealers) (Amendment) Order, 1968.

2. *Amendment of clause 7.*—In clause 7 of the Rajasthan Kharif Foodgrains Procurement (Levy on Dealers) Order, 1967 at the end of sub-clause (b) after the word “contravention”; the following expression shall be added :—

“and seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken”.

[Pub. in Raj. Gaz. Ex. 4 (Ga) -Dt. 20-1-68 Page-885]

**RAJ SCHEDULED FOODGRAINS (REGULATION OF
DISTRIBUTION) (AMENDMENT) ORDER, 1968**

Notification No. F. 17 (74) Food/Sup/66 dated, January 20. 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, (10 of 1955) read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely :—

1. *Short title.*—This Order may be called the Rajasthan Scheduled Foodgrains (Regulation of Distribution) (Amendment) Order, 1968.

2. *Amendment of clause 17:*—In sub-clause (3) of clause 17 of the Rajasthan Scheduled Foodgrains (Regulation of Distribution) Order, 1966, the full-stop appearing at the end of the said sub-clause shall be deleted and thereafter the following shall be added, namely :—

“(c) and may also seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken”.

[Pub. in Raj. Gaz. Ex. 4 (Ga) -Dt. 20.1-68 Page 888]

SUGARCANE (CONTROL) ORDER, 1966

Order No. F. 2-(33) Ind. (A)/68, dated October 5, 1968.—Whereas the State Government is of the opinion that for regulating or increasing the supply of Sugarcane it is necessary and expedient to reserve some areas where sugarcane is grown.

Now, therefore, in exercise of the powers conferred by clause 6 of Sugarcane (Control) Order, 1966 read with Notification of Government of India, Ministry of Food and Agriculture (Department of Food) G.S.R. 1127/ESS/Com/Sugarcane, dated 16-7-66, and Order No. G.S.R. 1456/ESS/Com/Sugarcane, dated 2-8-68 the State Government hereby reserves the areas specified in column I of the Table below (hereinafter the reserved areas) for the Ganganagar Sugar Mills Ltd., Sriganganagar and Mewar Sugar Mills Ltd., Bhopalsagar and further in exercise of the powers under clause (6) (7) (8) and (9) of the Sugarcane (Control) Order, 1966 the State Government hereby directs that in the reserved areas :—

- (i) No sugarcane shall be purchased for crushing by a power crusher or by a power run tractor.
- (ii) No sugarcane or sugarcane juice shall be purchased for crushing or for manufacture of gur, shakkar, gul, jaggery, rab or khandsari sugar, as the case may be, by a crusher not belonging to a grower or a body of growers of sugarcane or by a khandsari unit in the area.
- (iii) The Sugarcane grower or body of sugarcane growers should supply 75% of their sugarcane produce to the factory, except under and in accordance with a permit issued by the State Government in this behalf.

TABLE

S. No.	Reserved area	Name of factory for which areas are reserved.
	I	II
1. (a) Area within 20 (twenty) miles radius of the factory Gate.		M/s Ganganagar Sugar Mills Ltd., Sri Ganganagar.
(b) Area within 10 (ten) Miles radius of the following centres :—		-do-
(1) Prithvirajpura (2) Sahibasinghwala (3) Kesrisinghpur (4) Dalpatsinghpur (5) Shri Karanpur (6) Zorawarpura (7) Gajsinghpur (8) Raisinghnagar (9) Jaitsar (10) Sarupsar		

(11) Raghunathgarh (12) Kalyankat (13) Sri Bijaynagar (14) Pilibanga (15) Padampur (16) Koni (17) Dabli (18) Sadulpur (19) Ramsinghpur (20) Banwali (21) 19Z Gurudawara (22) Rattewalla (23) Lathanwali (24) Binghwala (25) Jaloki (26) 20 Z (27) Hanumangarh.

2. (a) Area within 20 (twenty) miles radius of the factory gate. The Mewar Sugar Mills Ltd.,

Bhopalsagar.

(b) Area within 10 (ten) miles radius of the following centres :— -do-

Udaipur District

(1) Upaipur Madri (2) Udaipur Bedla (3) Udaipur Rly. Station (4) Debari (5) Khemli (6) Bhimal (7) Mavli (8) Nathdwara (9) Khankroli (10) Koaria (11) Lawa Sardargarh (12) Vallabhnagar (23) Cherada (14) Bhindar (15) Kanod.

Chittorgarh District

(16) Banshi Bohera (17) Badi Sadri (18) Pandoli (19) Gosunda (20) Chittorgarh (21) Shambhupura (22) Nimbahera (23) Hhanderia (24) Gangrar.

Bhilwara District

(25) Hamirgarh (26) Mandal

This is in supersession of this department orders No F, 2 (52) Ind (A)/66, dated 3rd September, 1966 and dated 27th November, 1967.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 5.10.68 Page 527)

Sugarcane (Control) Order, 1966.

Industries (a) Department

Order No. F. 2 (33) Ind. (A) 68, dated December 7, 1968.—In exercise of the powers conferred by clause 6 of the Sugarcane (Control) Order, 1966, read with the notification of Govt of India Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food) G.S.R. 1127/Ess. Com/Sugarcane dated the 16th July, 1966, the State Government hereby makes the following amendments in the State Government order No. F. (33) Ind. (A) 68 dated the 5th October, 1968, hereinafter referred to as the said order, namely:—

AMENDMENT

In the said order

(1) after clause (ii) the following words shall be inserted, namely:—

“except under and in accordance with a permit issued by the State Government in that behalf”;

(2) in clause (iii) the words “except under and in accordance with a permit issued by the State Government in this behalf” shall be deleted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) (ii)—Dt. 7-12-68—Page 340]

RAJ. SUGAR DEALERS' LICENSING ORDER, 1967.

Food & Civil Supplies Department

Notification No. F. 12 (31) Food/Sup/67, dated December 7, 1967.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. GSR 1111 dated the 24th July, 1967, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Rajasthan Sugar Dealers' Licensing Order, 1967.
- (2) It extends to the whole of the State of Rajasthan.
- (3) It shall come into force on the date of its publication in the Rajasthan Rajpatra.

2. *Definitions.*—In this Order, unless there is anything repugnant in the subject or context.—

(a) "authorised wholesale dealer" means a person, a firm, an association of persons or a Co-operative Society appointed by the State Government or the Collector to purchase levy sugar at, and transport it from the premises or precincts of, any sugar factory to such destinations as may be indicated for purposes of selling it to authorised retail dealers or any other person at such wholesale price as may be determined by the State Government or the Collector from time to time in this behalf.

(b) "authorised retail dealer" means a person, a firm an association of persons or a co-operative society appointed by the State Government or the Collector to sell in retail at a fixed price the quantities of levy sugar purchased by him from an authorised wholesale dealer.

(c) "Collector" means, Collector of a District.

(d) "Free market Sugar" means quantities of sugar which is not levy sugar and which is from time to time released or allowed by the Central Government to the Sugar Factories for free sale anywhere in India.

(e) "Levy Sugar" means sugar procured by the Central Government from the sugar factories and meant for and released to the State for sale or distribution at prices specified by the State Government or the Collector from time to time and based on the levy prices at which sugar is procured from sugar factories.

(f) "Licensing authority" means the Collector or any other officer appointed by the State Government to exercise the duties and powers and to perform the functions of licensing authority under this Order.

(g) "Dealer" means a person, a firm, an association of persons or a Co-operative Society engaged in the business of purchase, sale or storage for sale of free market sugar in quantities exceeding 5 quintals at any one time, but does not include an authorised wholesale dealer or an authorised retail dealer or an industrial undertaking which is engaged in the manufacture or production of sugar and which is registered or licensed under the Industries (Development and Regulation) Act, 1951.

(h) "Schedule" and "Form" respectively mean the Schedule and the Forms appended to this Order.

(i) "State Government" means the Government of the State of Rajasthan.

(j) "Sugar" means any form of sugar containing more than 90% of sucrose.

3. *Licensing*.—(1) No person, firm, association of persons or a Co-operative Society shall, either as an authorised wholesale dealer, or an authorised retail dealer or a dealer, carry on the business of purchase, sale or storage for sale of sugar except under and in accordance with the terms and conditions of a license issued in this behalf by the licensing authority.

(2) A separate license shall be necessary for each place of business.

Explanation.—(1) A person, firm, association of persons or a Co-operative Society who stores sugar in quantities exceeding 5 quintals at any one time shall unless the contrary is proved by him, be deemed to store sugar for the purpose of sale.

(3) For the purposes of carrying on business or sale or storage for sale of sugar :—

(a) an authorised wholesale dealer shall store levy sugar in such quantities as may be indicated by the Collector from time to time.

(b) an authorised retail dealer shall store levy sugar in such quantities as may be indicated by the Collector from time to time.

(c) an authorised wholesale dealer or an authorised retail dealer shall carry on business in such quantities of levy sugar as may be authorised to him from time to time and shall be bound by the terms and conditions as may be imposed on him by the Collector with respect to its disposal and price.

4. No person, firm, association of persons or Co-operative Society who has been appointed and granted a license as an authorised wholesale dealer or an authorised retail dealer shall

be appointed or granted licence as a dealer and no such person, firm, association of persons or Co-operative Society shall carry on the business of purchase or sale or storage for sale of free market sugar and *vice versa*.

5. *Issue of License.*—(1) Every application for the grant of a licence or re-issue (or renewal thereof shall be made to the licensing authority in Form "A".

(2) Every licence issued, re-issued or renewed under this Order shall be in form "B" and shall be subject to the conditions specified therein.

6. *Period of licence and Fees chargeable.*—(1) Every licence issued under this Order shall be valid from the date of its issue to the 31st March next and may thereafter be renewed for a further period of one year at a time:

Provided that subject to his depositing security amount provided for in clause 8 read with the proviso thereto of this Order, a dealer, granted and holding a valid licence under the Rajasthan Sugar Dealers Licensing Order, 1963, on the date of the commencement of this Order, need not apply for a licence under this Order for the period from such commencement upto the 31st March, 1968, and his said licence issued to him as a dealer under this Order upto the said date:

Provided further that an application for renewal shall be made after payment of the fees specified in sub-clause (2) of this clause before the 31st day of March.

Explanation:—For the purpose of this sub-clause, the period of validity of a licence shall not be deemed to have expired if an application for its renewal is pending before the licensing authority.

(2) The fees specified below shall be chargeable in respect of each licence, namely:—

For issue or re-issue of licence	....	....	....	Rs. 5/-
For renewal of licence	....	....	....	Rs. 2/-
For issue of a duplicate licence	....	....	....	Rs. 10/-

7. *Powers to refuse licence.*—The licensing authority may after giving the person affected an opportunity of being heard and for reasons to be recorded by him, in writing refuse to grant or renew a licence.

8. *Deposit of security*—Every person, firm, association of persons or Co-operative Society applying for licence after the commencement of this Order, either as an authorised wholesale dealer or an authorised retail dealer or a dealer, shall, before the issue of licence to him, deposit with the licensing authority cash security of the amount mentioned below for the due performance of the conditions of the licence and of this Order :

- Rs. 1000/- in case of an authorised wholesale dealer;
- Rs. 200/- in case of an authorised retail dealer;
- Rs. 500/- in case of a dealer;

Provided that if the applicant for the grant of licence, as an authorised wholesale dealer, an authorised retail dealer or a dealer, is a Co-operative Society registered under the Rajasthan Co-operative Societies Act, 1953, the amount of security to be deposited by it shall be equal to one-fourth of the amounts mentioned in paragraphs (a), (b) and (c) above retrospectively.

9. *Contravention of conditions of Licence.*—No holder of a licence issued under this Order shall contravene any of the terms or conditions of the licence and if any such holder contravenes any of the said terms or conditions, then without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order, in writing of the licensing authority :

Provided that no order shall be made under this clause unless the licensee has been given an opportunity of being heard as against the proposed cancellation or suspension.

10. *Cancellation and re-issue of licence.*—Where a licensee has been convicted by a Court of law in respect of contravention of any order made under section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) relating to sugar, the licensing authority may, by order in writing cancel his licence :

Provided that where such conviction is set aside in any appeal or revision, the licensing authority may, on application in Form "A" by the person whose licence has been cancelled, re-issue the licence to such person.

11. *Forfeiture of security deposit.*—(1) Without prejudice to the provisions of clause 9, if the licensing authority is satisfied that the licensee has contravened any of the condition of the licence and that a forfeiture of the security deposit is called for, it may, after giving the licensee a reasonable opportunity of stating his case against the forfeiture, by order, forfeit the whole or any part of the security deposited by him and shall in that case communicate a copy of the order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 8, forthwith deposit on being required by the licensing authority to do so further security to make up the deficiency.

(3) Upon due compliance by the licensee with all obligations under the licence, the amount of security or such part thereof which is so, forfeited as aforesaid, shall be refunded to the licensee after the termination of the licence.

12. *Appeal.*—(1) Any person aggrieved by an Order of the licensing authority refusing to grant, re-issue or renew a licence or cancelling or suspending a licence or forfeiting the whole or any part of security deposited by him under the provisions of this Order, may appeal to the State Government within 30 days of the date of the receipt by him of such order.

(2) No order shall be passed in appeal unless the aggrieved person has been given an opportunity of being heard or stating his case in writing.

13. *Powers of entry, search, seizure etc.*—(1) The licensing authority or any other officer authorised by the State Government in this behalf may, with such assistance, if any, as he thinks fit:—

- (a) require the owner, occupier or any other person in charge of any place, premises, vehicle, or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder has been, is being, or is about to be committed, to produce any books, accounts or other documents showing transactions relating to such contravention;
- (b) enter, inspect or break open and search any place or premises vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order or of the conditions of any licence issued thereunder, has been, is being or is about to be committed;
- (c) take or cause to be taken extracts from or copies of any documents showing transactions relating to such contravention which are produced before him;
- (d) search, seize and remove stocks of sugar and the animals, vehicles, vessels, or other conveyance used in carrying the said sugar in contravention of the provisions of this Order or of the conditions of the licence issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of sugar and the animals, vehicles, vessels or other conveyance so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

14. *Powers of the State Government or the licensing authority to issue directions to licensee.*—The State Government or the licensing authority may issue directions to licensees with regard to:—

- (a) the purchase of sugar;
- (b) the sale of sugar in any quantity by him;
- (c) the storage of sugar for sale by him;
- (d) the disposal of sugar purchased by him;
- (e) the disposal of sugar stored by him; and

(f) the exhibition of price list of sugar and with regard to the manner in which such list may be exhibited.

15. *Exemptions.*—(1) The State Government may, by general or special order, and subject to such conditions or restrictions as may be specified in such order, exempt—

(a) any person or firm or class of persons or association of persons or any Co-operative Society; or

(b) any transaction or class of transactions; from the operation of all or any of the provisions of this Order.

(2) Nothing in this Order shall apply to the purchase, sale or storage for sale of sugar by or on behalf of—

(i) the State Government or Food Corporation of India, or

(ii) the officers, departments, institutions or other organisations of the State Government, or such agencies, as may be approved by the State Government.

16. The Rajasthan Sugar Dealers Licensing Order, 1963, shall stand repealed :

Provided that such repeal shall not affect anything done or omitted to be done or action taken under the Order so repealed.

SCHEDULE

Form "A"

(See clause 5 (1) and proviso to clause 10)

The Rajasthan Sugar Dealers Licensing Order, 1967.

Application for grant, renewal or re-issue, of licence as an authorised who lesale dealer/authorised retail dealer/dealer.

1. Applicant's name;

2. Applicant's profession.

3. Applicant's residence.

4. Kind of licence applied for (i. e. authorised wholesale dealer/authorised retail dealer/dealer).

5. Situation of applicant's place or places of business with particulars as to number of house, mohalla, town or village police station and district.

6. How long the applicant has been trading in sugar. Did the applicant hold a sugar licence on any previous occasion ? (If so, give particulars including its suspension or cancellation if any).

7. Quantities or Sugar handled annually during the last three years (November to October).

8. Income Tax paid in the two years preceding the year of application (to be indicated separately).

- (1).....
 (2).....
 9. Quantity of Sugar in the possession of the applicant on the date of application and the place or places at which the different Quantities are kept.

I declare that the quantities of sugar specified above are in my possession this day and are held at the place or places noted against them.

I have carefully read the conditions of licence given in Form 'B' appended to the Rajasthan Sugar Dealers Licensing Order, 1967, and I agree to abide by them.

- *(1) I held a valid licence granted to me as a dealer under the Rajasthan Sugar Dealer Licensing Order, 1963 at the commencement of this order.
 *(2) I have not previously applied for a licence in this district under this Order.
 *(3) I applied for such licence in this district on..... and was/was not granted a licence on.....
 *(4) I hereby apply for renewal of licence No..... dated..... issued to me on.....
 *(5) I hereby apply for re-issue of licence, My previous licence was cancelled vide order of the licensing authority No..... dated.... for reasons stated below (State the reasons)

*Strike off the clauses not applicable.

Signature of the applicant.

Place.....

Date

FORM 'B'

(See clause 5 (2))

The Rajasthan Sugar Dealers Licensing Order, 1967.

Licence for purchase, sale or storage of sugar for sale.

Licence No

1. Subject to the provisions of the Rajasthan Sugar Dealers Licensing Order, 1967, and to the terms and conditions of this licence..... is/are hereby authorised to purchase, sale or store for sale levy sugar/free market Sugar the period from to
2. The licensee shall carry on the aforesaid business at the following places:—
 (General Conditions)
 1. (i) The licensee shall maintain a register of daily accounts for Sugar showing correctly:—
 (a) the opening stock on each day;

(b) the quantities received on each day showing the place from where and the source from which received;

(c) the quantities delivered or otherwise removed on each day showing the places of destination; and

(d) the closing stock on each day.

(ii) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause, the burden of proving which shall be upon him,

(iii) Separate registers should be maintained for Khandsari sugar.

2. The licensee shall submit to the licensing authority concerned a true return, in form 'C' of the stocks, receipts and deliveries of each of the sugar every fortnight (1st to 15th and 16th to end of the month), so as to reach him within five days after the close of the fortnight.

3. The licensee shall issue to every customer a correct receipt or invoice as the case may be giving his own name, address and licence number, the name, address, the licence number (if any) of, the customer, the date of transaction, the quantity sold, the price per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any other officer authorised by him in this behalf.

4. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by this order or by the State Government for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of sugar and for the taking of samples of sugar for examination.

5. This licence shall be attached to an application for renewal or re-issue.

6. This licence shall be valid up to 31st March, 196

(Special conditions for authorised wholesale dealer)

1. The licensee shall always abide by the directions of the Collector.

2. The licensee shall deposit the earnest money with the mill immediately on receipt of the allotment order of levy sugar from the Collector, within a week and shall import sugar within the validity period.

3. The licensee shall inform immediately the cause of non-receipt of levy sugar from the mills to the Collector and in case he fails to report the matter any penalty which may be deemed fit i. e. forfeiture of security in full or part, cancellation or suspension of licence can be imposed.

4. The licensee shall maintain true and correct account of the sugar received by him under the allotments issued to him by the collector and shall submit the returns required regularly.

5. The licensee shall sell the sugar so received by him only to the licensed authorised retail dealers indicated by the Collector and up to the quantity as mentioned in the authority letter on the wholesale price as fixed by the Collector, from time to time.

(Special conditions for authorised Retail dealer)

1. They shall always abide by the directions of the Collector.

2. The licensee will sell sugar only to the persons or class of persons as may be directed by the Collector at the retail price fixed by him from time to time and in the quantities authorised.

3. The licensee shall maintain true and correct account of the sugar received and sold by him under the allotments issued to him by the Collector.

4. The licensee shall be liable for punishment in case of any default in sale i. e. forfeiture of security cancellation or suspension of licence, which may be deemed fit and which can be imposed.

Signature of the
Officer issuing the license.

Place

Date.....

FORM "C"

(See general condition 2 of Form "B")

Fortnightly return of stock, receipts and sale of levy sugar/free market sugar for the fortnight ending.....196 .

1. Name

2. No. of licence

3. Address

4. Particulars of godowns where stock held and quantity in stock of each quality of sugar in bags/ quintals :

Particulars of godowns	Quantity in stock bags/ quintals	Remarks if any
------------------------	-------------------------------------	-------------------

1.

2.

3.

5. Stock at the beginning of the fortnight :

(a) actually with the licensee.....bags/quintals.

(b) pledged with any person or institution such as a bank or co-operative society.....bags/quintals.

Total.....bags/quintals.

6. Quantity purchased during the fortnight :

Name of factory or person from whom	Quantity	(in bags/quintals) purchased.
-------------------------------------	----------	-------------------------------

(i)

(ii)

(iii)

(iv) Total.....

7. Quantity received out of purchased:

From (name of factory or person)	Quantity in bags/quintals	Rate of purchase
----------------------------------	---------------------------	------------------

(i)

(ii)

(iii)

(iv) Total.....

8. Quantity sold

(a) Quantity sold/and delivered/removed during the fortnight.....bags/quintals.

(b) Quantity sold but not yet delivered.....Total Sold.....bags/quintals.

9. Stock at the end of the fortnight :

(a) actually with the licensee.....bags/quintals.

(b) pledged with any person or institution such as a bank or co-operative society.....bags/quintals.

(c) Out of (a) and (b):-

(i) unsold.....bags/quintals.

(ii) sold but awaiting delivery.....bags/quintals.

Signature of authorised
wholesale/Retail Dealer/Dealer

I.....do hereby verify that the contents of paras 1 to 9 of this return are true and correct to the best of my knowledge and belief.

Signature of the Authorised
Wholesale/Retail Dealer/
Dealer.

Place.....

Date.....

Rajasthan Sugar Dealers Licensing (Amendment) Order, 1968.

Notification No. F. 12 (31) Food/Sup/67, dated January 20, 1968.—In exercise of the powers conferred section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the Notification of the Government of India in the Ministry of Food and Agriculture (Department of Food), published under GSR 1111 dated the 24th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following order, namely:—

1. *Short title.*—This Order may be called the Rajasthan Sugar Dealers Licensing (Amendment) Order, 1968.

2. *Amendment of clause 8*—In the proviso to clause 8 of the Rajasthan Sugar Dealers Licensing Order, 1967, hereinafter referred to as the principal Order,—

for the word “retrospectively” the word “respectively” shall be substituted.

3. *Amendment of clause 13.*—In clause 13 of the principal Order for the existing sub-clause (1) (c), the following sub-clause shall be substituted, namely:—

“(c) seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by that person have been taken,”

[Pub. in Raj. Gaz. Ex. 4(Ga)—Dt. 20-1-68 Page 887]

**Raj. Sugar Dealers Licensing (Second Amendment)
Order, 1968.**

Notification No. F. 12 (31) Food/Sup./67, dated May 8, 1968.--In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) GSR 1111, dated the 24th July, 1967 as subsequently amended and with prior concurrence of the Central Government, the State Government hereby makes the following Order to amend the Rajasthan Sugar Dealers Licensing Order, 1967, namely:—

1. *Short title.*—This Order may be called the Rajasthan Sugar Dealers Licensing (Second Amendment) Order, 1968.

2. *Amendment of clause 2.*—In clause 2 (g) of the Rajasthan Sugar Dealers Licensing Order, 1967 for the figure and word “5 quintals” the figure and word “10 quintals” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) -Dt. 8-5-68 Page 119]

Raj. Sugar Dealers Licensing (Third Amendment) Order, 1968.

Notification No. F. 12 (31) Food/Sup-/67, dated October 15, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955, (Central Act No. 10 of 1955) read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) No. GSR 1111 dated the 24 th July, 1967, as subsequently amended, and with the prior concurrence of the Central Government, the state Government hereby makes the following Order, namely:—

1. *Short title*:—This Order may be called the Rajasthan Sugar Dealers Licensing (Third Amendment) Order, 1968,

2. *Amendment of Clause 2*.—In clause 2 of the Rajasthan Sugar Dealers Licensing Order, 1967, hereinafter referred to as the principal Order after sub clause (j), the following new sub-clause (k) shall be inserted:—

“(k) ‘Appellate Authority’ means the Collector of the District, as regards the case wherein he has not acted as the Licensing Authority and as regards any other case, the State Government.”

3. *Amendment of clause 12*.—In clause 12 (1) of the principal Order, for the words ‘State Government’ the word ‘Appellate Authority’ may be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 15-10-68 Page 578]

Raj. Sugar Dealers Licensing (Amendment) Order, 1969.

Notification GSR. dated April 5, 1969.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of food) GSR 1111, dated the 24th July, 1967, as subsequently amended, and with the Prior concurrence of the Central Government, the State Government hereby makes the following Order to amend the Rajasthan Sugar Dealers Licensing Order, 1967, namely :—

1. Short title.—This Order may be called the Rajasthan Sugar Dealers Licensing (Amendment) Order, 1969.

2. Amendment of clause 3.—In the explanation given under Clause 3 Sub-clause (2) of the Rajasthan Sugar Dealers Licensing Order, 1967. for the figure and word "5 quintals" the figure and word "10 quintals" shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)-(i) Dt. 5-4-69]

Raj. Sugar Dealers Licensing (Second Amendment) Order, 1969.

Food & Civil Supplies Department

Notification G. S. R. 72, dated November 24, 1969.—In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India, in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food) G.S.R. 1111, dated the 24th July, 1967, as subsequently amended and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, to amend the Rajasthan Sugar Dealers Licensing Order, 1967, namely:—

1. Short title.—This Order may be called the Rajasthan Sugar Dealers Licensing (Second Amendment) Order, 1969.

2. Amendment of clause 14.—After the existing clause 14 of the Rajasthan Sugar Dealers Licensing Order, 1967, the following new clause 14 (A) shall be added :—

“14 (A) Fixation of wholesale and retail prices of levy sugar.

(1) Wholesale and Retail prices at which the levy sugar will be sold by the authorised wholesale dealer to the authorised retail dealer and by authorised retail dealer to the general public respectively will be fixed by the Collector of the District on the basis of the ex-factory price fixed by the Central Government after adding thereto the necessary transportation charges, incidental expenses, local taxes, and commission as may from time to time be fixed by the State Government.

(2) Nothing in sub-clause (1) will prevent the State Government from fixing such wholesale or retail prices in relation to any class of persons or institutions.”

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 24-11-69—Page 217]

Raj. Sugar Dealers Licensing (Amendment) Order, 1970.

Notification G.S.R. 99, dated March 5, 1970.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955), read with the Notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) GSR 1111, dated the 24th July, 1967—as subsequently amended, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order to amend the Rajasthan Sugar Dealers Licensing Order, 1967, namely:—

1. Short title.—This Order may be called the Rajasthan Sugar Dealers Licensing (Amendment) Order, 1970.

2. Amendment of clause 8.—In clause 8 (b) of the Rajasthan Sugar Dealers Licensing Order 1967, for the word and figure “Rs. 200/-” the word and figure “Rs. 100/-” shall be substituted.

[Pub. in Raj. Gaz. Ex. 4 (Ga)(i)Dt 5-3-70 Page 339]

Raj. Sugar Dealers Licensing (Amendment) Order, 1967.

Food & Civil Supplies Department

Notification No F 12 (31) Food/Sup/Legal/67, dated October 15, 1968.—In pursuance of Sub-clause (f) of clause 2 of the Rajasthan Sugar Dealers Licensing Order, 1967, the State Government hereby appoints all Sub-Divisional Officers for Sub-Divisional Headquarters Tehsil area, District Supply Officers for District Headquarters Tehsil area and Tehsildars excluding Tehsildars posted at District and Sub-Divisional Headquarters within their respective jurisdiction, to be Licensing Authority under the said Order.

[Pub. in Raj. Gaz. Ex. 4 (Ga) —Dt. 15-10-68—Page 577]

Food & Civil Supplies Department

Notification No. F. 12 (31) Food/Sup./67, dated January 31, 1968.—In exercise of the powers conferred by clause 13 of the Rajasthan Sugar Dealers Licensing Order, 1967, the State Government hereby authorises all Sub-Divisional Magistrates, District Supply Officers, Junior District Supply Officers, Area Supply Officers, Tehsildars, Naib-Tehsildars, Enforcement Officers and Enforcement Inspectors to exercise all powers of entry, search, seizures etc. in their respective jurisdiction as provided under the said clause.

[Pub. in Raj. Gaz. Ex. 4 (Ga). Dt. 31-1-68-page 937]

Food & Civil Supplies Department

Notification G.S.R. 1, dated April 1, 1970.—In exercise of the powers conferred by clause 13 of the Rajasthan Sugar Dealers Licensing Order, 1967, the State Government hereby authorises the Enforcement Officers/Quality Inspectors/Enforcement Inspectors of the Food and Civil Supplies Department posted at Jaipur and placed at the disposal of the Food Commissioners, to exercise all powers of entry, search, seizure etc. in the State of Rajasthan as a whole.

[Pub, in Raj. Gaz. Ex. 4 (Ga) (I)-Dt. 1-4-70 Page 1]

Raj. Foodgrains (Restrictions on Border Movement) Order 1959

Notification S. O. 128, dated September 5, 1969.--In exercise of the powers conferred by clause 4 of the (Rajasthan Foodgrains (Restrictions on Border Movement) Order, 1959, the State Government hereby authorises all Collectors and District Supply Officers having jurisdiction in the external border areas to issue permits for transport of foodgrains—

- (a) to any place in the external border area from any place outside that area;
- (b) from any place in the external border area to any other place in that area.

[Pub. in Raj. Gaz. Ex. 4(Ga)(II)—Dt. 5-9-69—Page 220]

Food & Civil Supplies Department

Notification S.O, 127, dated September 5, 1969—In exercise of the powers conferred by clause 5 of the Rajasthan Foodgrains Restrictions on Border Movement) Order, 1969, the State Government hereby authorises all Sub-Divisional Officers and Tehsildars having jurisdiction in the external border area, to issue permits for transport of foodgrains from any place in the said area to any other place in that area.

[Pub. in Raj. Gaz. Ex. 4(Ga) (II)—Dt.5-9-69—Page 219]

Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

FOOD AND CIVIL SUPPLIES DEPARTMENT

Notification No. F. 17 (19) Food/Sup./68, dated May, 14, 1968.—Whereas the state Government is of opinion that it is expedient so to do for maintaining supplies of wheat and for securing its equitable distribution and availability at fair prices;

Now, therefore, in exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the Notification of the Government of India, in the Ministry of Food Agriculture, Community Development, and Co-operation (Department of Food) GSR 1111, dated the 24th July, 1967, and with the prior concurrence of the Central Government, the State Government hereby makes the following Order, namely:—

1. Short title, extent and Commencement—(1) This Order may be called the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context, otherwise requires,—

(a) 'Collector' includes Additional Collector and any other Officer authorised by the State Government to perform any of the functions of the Collector under this Order;

(b) 'dealer' means a person holding a licence under the Rajasthan Foodgrains Dealers Licensing Order, 1964;

(c) 'fair average quality' means the quality of wheat containing admixture of impurity not exceeding the free tolerance limit specified in column 4 of Schedule I (A) and I (B) in regard to each such variety of wheat as specified in column 2 thereof;

(d) 'purchasing agent' means an agent appointed by the State Government and includes sub-agents appointed at various purchasing centres by the State Agent for the purchase of wheat under this Order;

(e) 'purchasing centre' means in relation to any area such centre as may be specified by a general or special order of the Collector;

(f) 'procurement price' means the price specified in Schedule II for each variety of wheat of fair average quality, which have been fixed having regard to the price for each variety of wheat prevailing or likely to prevail, in view of the good harvest of wheat of the year 1967-68, during the post-harvest period in the State, plus the tax paid or payable by the dealer under the Rajasthan Sales Tax Act, 1954, on the purchase of wheat;

(g) 'Schedule' means a schedule appended to this Order;

(h) 'State Government' means the Government of the State of Rajasthan;

(i) 'Wheat' means wheat of any variety produced in the State during the rabi crop of the year 1967-68 conforming to the varieties given in Schedule II.

3. Levy.—(1) Every dealer shall, after the commencement of this Order, sell to the purchasing agent by delivery at the purchasing centre 25% of the quantity of wheat purchased or acquired by him during every fortnight, whether on his own account or on account of any other person as Commission Agent or in any other capacity at the procurement price:

Provided that where a dealer, is who is a Commission Agent, receiving wheat for sale from producers puts the same to auction on the same day or on the next market working day of any foodgrain mandi or of a local area and the auction purchaser, is a dealer the levy share of the said wheat shall be sold to the purchasing agent, by delivery, as provided in this sub-clause by the auction purchaser dealer and not by such Commission Agent, subject to the condition that such Commission Agent immediately after the auction, delivers a statement in the form given in Schedule III duly signed by him, and by the auction purchaser or purchasers, to the Collector or any other officer authorised by the Collector and an identical statement to the purchasing agent showing the names and particulars of the auction purchaser or purchasers to whom the said wheat is sold by him by auction together with the quantity or quantities so sold to each of them.

(2) A dealer can make delivery of the wheat under sub-clause (1) to the purchasing agent, daily, weekly or fortnightly.

(3) Before selling wheat to the purchasing agent by delivery, the dealer shall file an application in the form given in Schedule IV to the purchasing agent and a copy thereof to the licensing authority concerned.

(4) No dealer shall dispose of or otherwise part with the possession of or move or transport or attempt to move or transport outside the area any portion of the wheat purchased or acquired by him as aforesaid until he has delivered the levy due from him under sub clause (1).

(5) The purchasing agent shall pay forthwith to the dealer or his authorised agent 90% of the procurement price of the wheat delivered to him in cash or by a cheque drawn on a local bank, at the purchasing centre and shall, subject to the provisions of clause 4, pay the balance within a period of fifteen days, from the date of such delivery:

Provided that if on screening the purchasing agent is satisfied that wheat delivered to him by a dealer under sub-clause (1) is of fair average quality, he shall pay forth with to the dealer or his authorised agent the whole of the procurement price of the said wheat delivered to him.

(6) The purchasing agent shall, after purchasing the stocks of wheat delivered under sub-clause (1) grant to the dealer a certificate in the form given in Schedule V.

(7) Upon delivery of the levy under sub-clause (1), the remaining 75% of the stock of wheat, will not be subjected to levy for a second time subject to the fulfilment of the following conditions:—

(a) that the purchasing dealer obtains a declaration in the form given in Schedule VI, in duplicate from the selling dealer. The

original declaration shall be submitted by the purchasing dealer to the Collector or any officer authorised by him and the duplicate and the counterfoil shall respectively be retained by the purchasing dealer and the selling dealer which shall be open to verification and inspection by the officers mentioned in clause 6. The declaration shall be correct and complete and shall be verified on oath or solemn affirmation by the person making it; and

- (b) that the purchasing dealer makes entries of the declaration number and date on the bills which shall be taken as sufficient proof of the fact that the stock so purchased has already been subjected to levy.

4. **Adjustment in procurement prices.**—The procurement price referred to in clause 3 is for the fair average quality of wheat conforming to the specifications prescribed in Schedule I (A) and I (B) and shall be subject, in relation to the wheat below that quality, to deductions specified in column 5 of that Schedule.

5. **Compliance of orders and directions.**—Every dealer shall comply with such orders and directions as may be given to him by the State Government or the Collector from time to time with regard to the implementation of this Order.

6. **Powers of entry, inspection, search and seizure.**—(1) The Collector, or any other person authorised in this behalf by the State Government, in their respective jurisdiction may, with a view to securing compliance of this Order or satisfying that this Order has been complied with:—

- (a) enter with such assistance as he may think fit, inspect or break open and search any place or premises, receptacle, vehicle, vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being, or is about to be committed;
- (b) require the owner, occupier or any other person in charge of any place, premises, receptacle, vehicle or vessel in which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed, to produce any book, accounts or other documents, showing transaction relating to such contravention and seize any books of accounts and documents which in his opinion would be useful for, or relevant to, any proceedings under the Essential Commodities Act, 1955, and return such books of accounts and documents to the person from whom they were seized after copies thereof or extracts therefrom as certified by the person have been taken;
- (c) require any dealer to produce within such time as may be specified by such officer the certificate granted to him under clause (6) of clause 3;
- (d) seize or authorise the seizure of wheat in respect of which he has reason to believe that any contravention of the provisions of this Order has been, is being or is about to be committed.

with the packages, coverings or receptacles in which such wheat is found; or the animals, vehicles, vessels or other conveyance used in carrying such wheat and, thereafter, take all measures necessary for securing the production of such wheat packages, coverings, receptacles, animals, vehicles, vessels or other conveyance so seized; in a court of law and for their safe custody pending such production.

(2) The provisions of section 102 and 103 of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898) relating to search and seizure shall, so far as may be, apply to search and seizures under this clause.

7. Power to exempt.—The State Government may, by special or general order, exempt any person or class of persons from the operation of all or any of the provisions of this Order and may at any time suspend or cancel such exemption.

SCHEDULE I (A)

[(See Clause 2 (c)]

Specifications of Wheat (Superior) Year 1967-68 Crop.

General characteristics :

1. Wheat shall be the dried grains of *Triticum vulgare* and *Triticum durum*.
2. Have uniform size, shape and colour.
3. Be sweet and hard; clean; wholesome; free from moulds, weevils, obnoxious smell, discolouration, admixture of deleterious substances and all other impurities except to the extent indicated in the table below.
4. Be in sound merchantable condition.

S. No.	Variety of wheat	Admixture of impurity (Name of refracton)	Free tolerance limit (%)	Rates at which cuts shall be imposed for impurities over the tolerance limits shown in column 4.
1	2	3	4	5
1	Farmi, Kanak, Sharvati, and Malvi	Foreign matter and dirt	0.5	Over 0.5% and up to 1.5% @ full value. Over 1.5% @ full value plus cleaning charges @ 15 paise per quintal.
2.		Other foodgrains	2.0	Over 2.0% and up to 4.0% @ half value. Over 4.0% @ full value.
		Damaged Foodgrains	1.0	Over 1.0% and up to 2.0 @ half value. Over 2.0% @ full value.

4.	Slightly damaged grains	1.0	Over 1.0% and up to 3.0% @ half value. Over 3.0% @ full value.
5.	Shrivelled and immature grains	1.0	Over 1.0% and up to 4.0% @ One fourth value. Over 4.0% @ half value.
6.	Admixture of inferior varieties.	8.0	Over 8.0 and up to 12.0% @ one-fourth value. Over 12.0% and up to 14.0% @ half value. Over 14.0% @ full value.
7.	Weevileed Grains.—		
	(a) New Crop to end of July	0.0	Over 0.5% and up to 5.0% @ half value. Over 5.0% @ full value.
	(b) August to end of September	0.5	Over 0.5% and up to 5.0% @ half value. Over 5.0% @ full value.
	(c) October to end of November	1.0	Over 1.0% and up to 5.0% @ half value. Over 5.0% @ full value.
	(d) December to end of March.	2.0	Over 2.0% and up to 5.0% @ half value. Over 5.0% @ full value.
	Moisture content	13.0	Over 12.0% and up to 14.0% @ full value. Over 14.0% wheat to be dried and rendered acceptable within specifications at sellers' expenses.

Definitions :

1. Foreign matter and dirt.

Any foreign matter of the nature of dust, stones, lumps of earth, mud, chaff, stem or straw, oil-seeds, cockles, non-edible grains and other foreign matter which

2. Other Foodgrains

is not covered by any other item of refraction.

Edible grains other than the principal grain.

3. Damaged grains

Grains that are internally discoloured and spoiled by natural or unnatural factors, such as loose water, excessive moisture, fungi, insects and pests, etc., damage or discolouration materially affecting the quality.

4. Slightly Damaged grains

Grains that have been superficially damaged or discoloured, damage and discolouration not internally affecting the quality of the grains.

5. Admixture of Lower varieties

Admixture of wheat grains of inferior varieties in superior wheat viz, Maxican, Red, Kathia Dara, Bajia and Gajjar.

6. Shrivelled and Immature grains

Withered grains in which the cotyledons have not fully developed. Small but developed grains shall not be taken as shrivelled grains.

7. Weevilled grains

Grains partially or wholly bored or eaten by weevil or other grain insects.

8. Moisture

The percentage of moisture in the wheat seeds which include bound as well as free moisture.

SCHEDULE I (B)

[See Clause 2 (c)]

Specifications of Maxican and other varieties of Wheat (Red, Bajia, Katha, Dara, Gajjar) Year 1967-68 Crop.

General Characteristics :

1. Wheat shall be the dried grains *Triticum vulgare* and *Triticum durum*.
2. Have uniform size, shape and colour.
3. Be sweet and hard, clean, wholesome and free from moulds, weevils, obnoxious smell, discolouration, admixture of deleterious substances and all other impurities except to the extent indicated to the table below:—
4. Be in sound merchantable condition.

Sl No.	Variety of wheat	Admixture of impurity (Name of refraction)	Free Tolerance limits (%)	Rates at which cuts shall be imposed for impurities over the tolerance limits shown in column 4.
1	2	3	4	5
1.	Maxican, Red Kathia Dara Bajia and Gajjar	Foreign matter and dirt	0.5	Over 0.5% upto 1.5% @ full value. Over 1.5% @ full value plus cleaning charges @ 15 paise per quintal.
2.		Other foodgrains	5.0	Over 5.0 @ half value.
3.		Damaged foodgrains	1.0	Over 1.0% and upto 20% @ one half value. Over 2.0% @ full value.
4.		Slightly damaged grains	2.0	Over 2.0% and upto 30% @ one half value.
5.		Shrivelled and Immature grains	4.0	Over 40% @ one half value.
6.		Weevilled grains		
		(a) New crop to end of July	0.0	Over 0.0% and upto 5.0% @ half value.
		(b) August to end of September.	0.5	Over 0.5 and upto 5.0% @ half value.
		(c) October to end of November.	1.0	Over 1.0% @ and upto 5% @ half value.
		(d) December to end of March	2.0	Over 2.0% and upto 5.0% @ half value. over 50% at full value.
7.		Moisture content	12.0	Over 12.0% and upto 14.0% at full value over 5.0% @ full value. Over 14% wheat to dried and rendered acceptable within the specifications at sellers expenses.

Definitions :

1. Foreign matter and dirt

Any foreign matter of the nature of dust stones, lumps of earth, mud chaff, stem or straw, bils-eds, cockles, non-edible grains and other foreign matter which is not covered by any other time of refraction.

- | | |
|-----------------------------------|---|
| 2. Other foodgrains | Edible grains other than the principal grain. |
| 3. Damaged grains | Grains that are internally discoloured and spoiled by natural or unnatural factors, such as loose water, excessive moisture, fungi, insects and pests, etc., damage or discolouration materially affecting the quality. |
| 4. Slightly Damaged grains | Grains that have been superficially damaged or discoloured. Damage and discolouration not internally affecting the quality of the grains. |
| 5. Shrivelled and immature grains | Withered grains in which the cotyledons have not fully developed, small but developed grains shall not be taken as shrivelled grains. |
| 6. Weevilled grains | Grains partially or wholly bored or eaten by weevils or other grain insects. |
| 7. Moisture | The percentage of moisture in the wheat seeds which include bound as well as free moisture. |

SCHEDULE II

[See clause 2 (f)]

Procurement prices of wheat of different varieties.

Variety of Wheat	Price per quintal naked grain of fair average quality (excluding sales tax).	
1. Red, Bajia, & Katha	Rs. 74/-	per quintal
2. Dara, Gajjar & Mexican	Rs. 76/-	per quintal
3. Farmi, Sharbati, Kanak and Malvi	Rs. 81/-	per quintal

(SCHEDULE III)

See clause 3 (1) Proviso

Statement by Commission Agent/Auction Purchaser, to the Collector and the Purchasing Agent.

1. Name of the Commission Agent (dealer).....
2. Licence No.
3. Name (s) and particular of the auction purchaser (dealers) to whom Wheat is sold by auction together with quantity sold.

Name/s of the auction purchaser/s with full address and licence No.	quantity of wheat sold by auction (in quintals)	Grade/ variety	Remarks if any.
---	--	-------------------	--------------------

- (i)
- (ii)
- (iii)
- (iv)

1. Signature of the Commission Agent (Dealer)
2. Signature of the Auction Purchaser (Dealer)

Place.....

Date.....

SCHEDULE IV

[See clause 3 (3)]

APPLICATION FOR DELIVERY OF LEVY WHEAT

To The Purchasing Agent.

Subject.—Sale of Levy Wheat.

Sir,

I, M/s.....

(Name and full address of the dealer)

foodgrains licence No.....has/have purchased/
acquired.....quintals wheat, during
the fortnight/week/day.....of wheat
(give date)

of.....variety.

(give variety)

Out of the above stock, a quantity of.....
quintals.....wheat comes to be the share of the
(variety)

State Government which may kindly be ordered to be taken from me. The wheat will be brought by me at the purchasing centre at my cost where it is to be weighed.

Signature.....
Licence No.....
Mandi.....

Copy to the Collector/SDO/DSO/Tehsildar (licensing Authority concerned).....(Name of Place) for information.

Signature.....
Licence No.....
Mandi.....

SCHEDULE V

[See clause 3 (6)]

Certificate by purchasing Agent.

This is to certify that Shri/M/s..... (Name and full address), Foodgrains Licence No. has/have sold..... (in quintals) wheat of variety to the undersigned at..... (Name of the purchasing centre) on..... of the stock of wheat acquired by him during the fortnight/week/day ending..... 196.

Signature of the Purchasing Agent

Place :

Tehsil :

District :

Dated.

SCHEDULE VI

[See clause 3 (7) (a)]

Declaration by a dealer on purchase of levy paid wheat.

COUNTERFOIL

(To be retained by the selling dealer)

Declaration for sale of remaining stock of wheat not subject to levy under sub-clause (7)(a) of clause 3 of Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

To

The Collector (Officer authorised by the Collector)

District.....

Sub.—Sale of remaining stock of wheat not subject to levy under sub-clause (7)(a) of clause 3 of the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

SCHEDULE VI

[See clause 3 (7)(a)]

Declaration by a dealer on purchase of levy paid wheat.

DUPLICATE

(To be retained by the purchasing dealer)

Declaration for sale of remaining stock of wheat not subject to levy under sub-clause (7) (a) of clause 3 of Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

To

The Collector (Officer authorised by the Collector)

District.....

Sub.—Sale of remaining stock of wheat not subject to levy under sub-clause (7) (a) of clause 3 of the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

SCHEDULE VI

[See clause 3 (7)(a)]

Declaration by a dealer on purchases of levy paid wheat.

ORIGINAL

(To be submitted to the Collector)

Declaration for sale of remaining stock of wheat not subject to levy under sub-clause (7) (a) of clause 3 of Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

To

The Collector (Officer authorised by the Collector)

District.....

Sub.—Sale of remaining stock of wheat not subject to levy under sub-clause (7) (a) of clause 3 of the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968.

Sir, Shri.....(Name and full address) Foodgrain Licensee No.....hereby declares that he has sold a quantity of..... (in qtls.) of wheat.....variety/grade from his business place..... to Shri/M/s.....(Name and full address) Foodgrain Licensee No.....from out of the remaining stock of purchase during the fortnight/week/day ending onfor which levy has been paid under certificate No.....datedissued by the purchasing agent for the purchasing centreTehsil.....Sub-Div.

District.....
I state on oath/solemn affirmation that the above mentioned statements are correct.

Sig.....
Lic. No.....
Place.....Tehsil.....Distt.....

Sir, Shri.....(Name and full address) Foodgrain Licensee No.....hereby declares that he has sold a quantity of..... (in qtls) of wheat.....variety/grade from his business place..... to Shri/M/s.....(Name and full address) Foodgrain Licensee No.....from out of the remaining stock of purchase during the fortnight/week/day ending onfor which levy has been paid under certificate No.....datedissue by the purchasing agent for the purchasing centreTehsil.....Sub-Div.

District.....
I state on oath/solemn affirmation that the above mentioned statements are correct.

Sig.....
Lic. No.....
Place.....Tehsil.....Distt.....

Sir, Shri.....(Name and full address) Foodgrain Licensee No.....hereby declares that he has sold a quantity of..... (in qtls) of wheat.....variety/grade from his business place..... to Shri/M/s.....(Name and full address) Foodgrain Licensee No.....from out of the remaining stock of purchases during the fortnight/week/day ending onfor which levy has been paid under certificate No.....datedissued by the purchasing agent for the purchasing centreTehsil.....Sub-Div.

District.....
I state on oath/solemn affirmation that the above mentioned statements are correct.

Sig.....
Lic. No.....
Place.....Tehsil.....Distt.....

Raj. Wheat Procurement (Levy on Dealers) Order, 1968.

Notification No. F. 17(19) Food/Sup./68. dated may 14, 1968—In pursuance of sub-clause (d) of clause 2 of the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968, the State Government hereby appoints the Food Corporation of India, Jaipur, as their Purchasing Agent with immediate effect.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 14.5.68]

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification No. F17(19) Food/Sup./68, dated May 17, 1968—In Exercise of the powers conferred by sub-clause (i) of Clause 6 of the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968, the State Government hereby authorises all Sub-Divisional Magistrate, Procurement Officer (Food Supplies), any Police Officer not below the rank of Sub-Inspector. District Supply Officers, Junior District Supply Officers, Tehsildars, Naib Tehsildars, Enforcement Officers and Enforcement Inspectors to exercise all powers of entry, search seizures etc. in their respective jurisdiction as provided under the said clause.

[Pub. in Raj. Gaz. Ex. 4 (Ga)—Dt. 17-5-68]

Notifications under

Procurement (Levy on Dealers) Order, 1968.

Food & Civil Supplies Department

Notification No. F. 17 (19) Food/Sup./68 dated June 4, 1968—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955) read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food), published under GSR 1111, dated 24th July, 1967, the State Government with the prior concurrence of the Central Government, hereby rescinds with immediate effect the Rajasthan Wheat Procurement (Levy on Dealers) Order, 1968, issued by the State Government in Food and Civil Supplies Department under its Notification No. F. 17 (19) Food/Sup/68 dated the 14th May, 1968, and published in Part IV-C of Rajasthan Gazette Extraordinary of even date.

[Pub. in Raj. Gaz. Ex. 4(Ga)—4-6-68]

Raj. Wheat Procurement (Levy on Producers) Order, 1967

Food & Civil Supplies Department

Notification No. F 17(23) Food/Sup./67, dated January 5, 1968—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act No. 10 of 1955) read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food), published under GSR-1111 dated the 24th July, 1967, and with the prior concurrence of the Central Government, the State Government hereby rescinds the Rajasthan Wheat Procurement (Levy on Producers) Order, 1967, issued by the State Government in Food and Civil Supplies Department under its notification No. F. 17(23) Food/Sup./67; dated the 12th may, 1967, and published in Part IV-C of Rajasthan Gazette, Extraordinary of even date.

[Pub. in Raj. Gaz. Ex. 4(Ga)-Dt. 5-1-68]

ESSENTIAL COMMODITIES ACT, 1955

Notification No. F. 17 (10) Food/Sub-/66 dated December 11, 1967.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Cooperation (Department of Food) published under GSR 1111, dated the 24th July, 1967, as subsequently amended and with the prior concurrence of the Central Government, the State Government hereby rescinds, with immediate effect, the Rajasthan Foodgrains Dealers Licensing (Second Amendment) Order, 1967, dated the 24th November, 1967, published under this Department Notification No. F. 17 (10) Food/Sup./66, dated the 24th November, 1967, in the Rajasthan Gazette Extraordinary, Part IV-C, dated November 24, 1967.

[Pub. in Raj. Gaz. Ex. 4 (Ga) Dt. 11-12-67—Page 753]

Notification under

ESSENTIAL COMMODITIES ACT, 1955

FOOD & CIVIL SUPPLIES DEPARTMENT

Notification No. F. 17, (44) Food/Sup./67., dated March 29, 1968.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (Central Act 10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) published under GSR 1111, dated the 24th July, 1967, the State Government with the prior concurrence of the Central Government, hereby rescinds with immediate effect the Rajasthan Kharif Foodgrains Procurement (Levy on Dealers) Order, 1967, published under this Department Notification No. F. 17(44) Food/Sup./67, dated the 16th October, 1967, in the Rajasthan Gazette Extraordinary, Part IV-C of even date.

[Pub. in Raj. Gaz. Ex. 4 (Ga.) -Dt. 29-3-68]

Notifications under

Essential Commodities Act, 1955.

Food & Civil Supplies Department

Notification S. O. 33, dated May 12, 1969.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the notification of the Government of India in the Ministry of Food, Agriculture, Community Development and Co-operation (Department of Food) published under GSR 1111 dated the 24th July, 1967, as subsequently amended, the State Government hereby rescinds with immediate effect, the orders specified in the Schedule below which were published in the Rajasthan Gazette Extra-Ordinary, Part IV-C of even number and date—

SCHEDULE

1. Notification No. F. 17 (10) Food/Sup./66. dt. 20-4-66.
2. Notification No. F. 17 (10) Food/Sup./66, dt. 16-1-67.

[Pub. in Raj. Gaz. Ex. 4(Ga)(III)—Dt. 12-5-69]

Industries (A) Department

Notification No. F. 37 (49) IndA/66, dated November 13, 1968.—In pursuance of sub-clause (i) of clause 5-A of the Rajasthan (Display of Prices of Essential Commodities) Order, 1966, the State Government hereby authorises the Collectors of all the districts of Rajasthan to issue directions to any dealer or class of dealers carrying on business within their respective jurisdiction, that any article mentioned in part I and Part II of the Schedule appended to the said Order, shall be sold by him/them in such quantity or number, subject to such conditions, after such intervals and in such manner as may be specified in such directions.

[Pub. in Raj. Gaz. Ex. 4 (Ga)--Dt 13-11-1968]

Industries (A) Department

Notification No F. 37 (49) Ind. (A) 66, dated, November 19, 1968.—In exercise of the powers conferred by clause 4 of the Rajasthan (Display of Prices of Essential Commodities) Order, 1966, the State Government hereby omits from the Schedule the article at S. No. 2, namely, "Vanaspatti of all makes" appearing in Part I thereof.

[Pub. in Raj. Gaz. 4(Ga)---Dt. 9-1-69-Pae 369]

Industries (A) Department

Notification No. F. 37 (49) Ind. (A) /66 dated January 10, 1969.—In exercise of the powers conferred by Clause 4 of the Rajasthan (Display of Prices of Essential Commodities) Order, 1966, the State Government hereby directs that the following amendment shall be made in the Notification dated 29th August 1968, namely.--

In the said Notification for the entry 'Tyres and Tubes of Cars and Tractor's at serial No. 14 to the Schedule (Part I) the following shall be substituted:---

"Tyres and Tubes of Cars, Buses, Jeeps, Vans, Trucks, automobiles of any other category whatsoever, Tractors and Tractor-trolleys."

[Pub in Raj Gaz Ex 4(Ga)Dt 10-1-69]

Rules and Notifications under

ESSENTIAL COMMODITIES (AMENDMENT)
ORDINANCE, 1964.

The Essential Commodities (Amendment) Ordinance, 1967.

No. F. 37 (59) Ind. (A)/67

INDUSTRIES (A) DEPARTMENT

Dated, Jaipur, 16th November, 1967.

To,
All Collectors

Subject:—The Essential Commodities (Amendment) Ordinance, 1967.
Sir,

I am directed to say that the Ministry of Commerce (Civil Supplies), Government of India has sent the Essential Commodities (Amendment) Ordinance, 1967 promulgated by the President in the Eighteenth Year of the Republic of India on 16th September, 1967. The objectives of the amending Ordinance are detailed below:—

The Santhanam Committee had recommended in its report that the Essential Commodities Act, 1955, should be suitably amended so as to include also directions given under orders issued under the Act. In order to achieve this, the main Act has been amended by the present Ordinance to include directions under an "order" issued under the Act. (Cl. 2 of the Ordinance).

It was brought to notice that enforcement staff were experiencing difficulties in seizing books of accounts and other documents to be produced as evidence in a court of law. It has now been provided for seizure of books of accounts and documents and for their return after copies thereof have been kept (Cl. 4 of the Ordinance).

Previously, Section 6A of principal Act relating to confiscation by District authorities was applicable only to foodgrains, edible oilseeds and edible oils. The powers of confiscation have now been extended to all essential commodities by this amending Ordinance (Cl. 5 of the Ordinance).

Amendment to section 6B of the principal Act has been made which are of a consequential nature (Cl. 6 of the Ordinance).

Section 6B of the principal Act has been amended to include all essential commodities instead of only foodgrains, edible oilseeds and edible oils and for the payment of compensation for all essential commodities that are confiscated in respect of which orders or confiscation are set aside subsequently by a court (Cl. 7 of the Ordinance).

The penalty provisions of the Principal Act have been amended for the following purposes.

From experience it has been seen that wherever an order under the Essential Commodities Act has been contravened, the offender could put forward the plea of ignorance of the provisions of the legislation or of the orders issued thereunder. The present amendment exculdes *mens rea* (guilty mind) from the ingredients of offences under the Act and makes offence committed

whether knowingly, intentionally or otherwise punishable (Cl. 8 of the Ordinance).

Provision has been made for a minimum sentence of imprisonment of one month for second or subsequent offences under the Act (Cl. 8 of the Ordinance).

Provision has also been made for forfeiture by a Court, of packages, coverings or receptacles in which the property is found alongwith the animal vehicle, vessel or other conveyance used in carrying such property (Cl. 8 of the Ordinance).

The period of punishment for certain offences has been increased from three years to five years (Cl. 8 of the Ordinance).

In case of second and subsequent offences, the Court, by which a person is convicted, shall, in addition to any other penalty, suspend business in the essential commodity, in respect of which a contravention has been committed, for a period not less than six months (Cl. 8 of the Ordinance).

All offences under the Essential Commodities Act have now been made cognizable and bailable (Cl. 10 of the Ordinance).

The provision for summary trials under section 12A of the Essential Commodities Act has been extended for a further period of two years viz., upto the 31st December, 1969 (Cl. 11 of the Ordinance).

The Essential Commodities (Amendment) Ordinance, 1967, has been published in the Government of India Gazette, Extraordinary, dated the 16th September, 1967.

A copy of the amending Ordinance alongwith a copy of press note and a list of Commodities declared so far as Essential Commodities under the Essential Commodities Act are also enclosed for doing the needful.

[Pub. in Pt. II Page 1.]

LIST OF ESSENTIAL COMMODITIES DECLARED UNDER THE ESSENTIAL COMMODITIES ACT, 1955.

Declared under Clause (a) of Section 5 of the Act.

1. Cattle fodder, including oilcakes and other concentrates.
2. Coal, including coke and other derivatives.
3. Component parts and accesories of automobiles.
4. Cotton and woollen textiles.
5. Foodstuffs, including edible oilseeds and oils.
6. Iron and steel, including manufactured products of iron and steel.
Paper, including newsprint, paper board and straw board.
8. Petroleum and petroleum products.
9. Raw cotton, whether ginned or unginned and cotton seed.
10. Raw jute.

Declared under sub-clause (xi) of Clause (a) of Section 2 of the Act.

- | | |
|-------------------|------------------------------|
| 11. Jute textiles | S.R.O. 325, dated 15-2-1956. |
| 12. Drugs | S.R.O. 828, dated 9-4-1956. |

13. Fertilisers, whether inorganic or mixed.	S.R.O. 1048, dated 29-3-1957.
14. Non-ferrous metals.	
15. Organic heavy chemicals.	
16. Inorganic heavy chemicals.	S.R.O. 2175—A, dated 29-6-1957
17. Cinema films (raw).	
18. Press Mud	G.S.R. dated 18-4-1959 (No. 15-1/59—SV by Department of Food).
19. Cinema carbons	S.R.O., dated 13-9-1960 (No. Chem. (1)—7(5)-60(1) by Min of C & I.)
20. Cement	No. 14-6/62, Cem., dated 24-11-1962 (S.O. 3594).
21. Manufactures and semi-manufactures of non-ferrous metals.	No. S.O. 2896, dated 18-9-1962 (No. 4 (5) Met/60).
22. Soap	S.O. 481, dated 7-2-1963 (No. 8 (17/62—OH. II).
23. Textile machinery—	
(i) Blow Room machinery	
(ii) Carding Engines	
(iii) Draw frames	
(iv) Speed frames	
(v) Ring-frames	
(vi) Winding machines	
(vii) Doubling machines	S.O. 3218, dated 19-10-1962 (No. 22/34/62-Text. (B).
(viii) Reeling machines	
(ix) Bundling machines	
(x) Baling machines	
(xi) Power looms	
(xii) Side frames of power-looms.	
(xiii) Spare parts of power-looms and ring frames.	
(xiv) Wool combing machinery	
(xv) Woollen—	
(i) rag washing machine	
(ii) rag tearing machine	
(iii) rag cutting machine, and	
(iv) garnetting machine.	
(xvi) Warp knitting machines including Reschael knitting machines worked by power.	S.O. 689, dated 16-3-1963 (No. F. 17 (16) Text. (D)/62—1)
(xvii) Embroidery machines, other than sewing type of embroidery machines, worked by power and	

used for decorating the textiles fabrics with designs formed with any type of thread by the help of needles.

(xviii) Lace making machines worked by power and used for production of fabrics of open mesh or net formed by crossing and inter-twisting threads; and

(xix) machines worked by power and used for printing of cloth by means of engraved rollers or Screens.

24. textiles made from silk

25. textiles made wholly or in part from man-made cellulosic and non-cellulosic spun fibres.

26. textiles made wholly or in part from man-made cellulosic and non-cellulosic filament yarns.

27. Matches

28. Cycle tyres and tubes (including cycle rickshaw tyres and tubes).

29. Ferro-silicon.

30. Silico-manganese

31. Ferro-chrome

32. Ferro-molybdenum

33. Ferro-tungsten

34. Ferro-manganese

35. Ferro-vanadium

36. Ferro-phosphorus

37. Ferro-titanium

38. Ferrous scrap containing more than—

(i) 0.50 percent Nickel,
or

(ii) 0.20 percent Molyde-

S.O. 3395, dated 29-11-1963 (No. F2/(16)/61 Control-D)

S.O. 2114, dated 21-9-59 (No. 23 (3) Tex.(D)/59).

S.O. 1837, dated 14-6-1966 (No. 26 (11) Com.Genl./60)

S.O. 2511, dated 17-8-66 (No. 26 (11) Com. Genl./66)

S.O. 1931, dated 21-6-1966 (No. 26(11)-Com. Genl./66).

S.O. 1931, dated 21-6-1966 (No. 26 (11)—Com. Geul./66).

(iii) 1.00 percent Tungsten, or	
(iv) 0.20 percent Vanadium or	
(v) 1.00 percent Cobalt.	
39. General Lighting Service Lamps	S.O. 2135, dated 15-7-1966 (No. 26 (11)—Com. Genl/66).
40. Filuorscent Tubes.	
41. Soda Ash	
42. Dry cells for torches-	S.O. 2381, dated 8-8-1966 (No.
43. Hurricane Lanterns.	26 (11)—Com. Genl./66).
44. Household appliances such as electric irons, heaters and the like.	S.O. 76, dated 4-1-1967 (No. 26(11) C/S. II/66).
45. Synthetic Rubber	
46. Rayon Cord	
47. Carbon Black	
48. Polyvinyl Chlorido (P.V.C.) resins and compounds.	S.O. 84 dated 5-1-1967 (No. 1(55) 66—DEP-1).
49. Polyethylene and Polyethy- lene moulding powder.	
50. Polystyrine and Polystyrine moulding powder.	
51. Tractors.	S.O- 515, dated 5-2-1967 (No. 26 (11) CS-II/66).

[Pub. in Raj. Gaz. Ex. 1 (Kha) --Dt. 8-12-67—Page 91)